

# U.S. POLICY ON IRAQ

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## HEARINGS

BEFORE THE

### COMMITTEE ON ARMED SERVICES

### UNITED STATES SENATE

ONE HUNDRED SEVENTH CONGRESS

SECOND SESSION

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SEPTEMBER 19, 23, 25, 2002

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Printed for the use of the Committee on Armed Services



U.S. GOVERNMENT PRINTING OFFICE

84-837 PDF

WASHINGTON : 2003

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## U.S. POLICY ON IRAQ

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THURSDAY, SEPTEMBER 19, 2002

U.S. SENATE,  
COMMITTEE ON ARMED SERVICES,  
*Washington, DC.*

The committee met, pursuant to notice, at 2:33 p.m. in room SD-106, Dirksen Senate Office Building, Senator Carl Levin (chairman) presiding.

Committee members present: Senators Levin, Kennedy, Byrd, Lieberman, Cleland, Landrieu, Reed, Akaka, Bill Nelson, Ben Nelson, Carnahan, Dayton, Warner, Thurmond, McCain, Inhofe, Roberts, Allard, Hutchinson, Sessions, and Collins.

Committee staff members present: David S. Lyles, staff director, and Christine E. Cowart, chief clerk.

Majority staff members present: Richard D. DeBobes, counsel, Evelyn N. Farkas, professional staff member; Richard W. Fieldhouse, professional staff member; and Michael McCord, professional staff member.

Minority staff members present: Judith A. Ansley, Republican staff director; Charles W. Alsup, professional staff member; Edward H. Edens IV, professional staff member; Patricia L. Lewis, professional staff member; Thomas L. MacKenzie, professional staff member; and Joseph T. Sixeas, professional staff member.

Staff assistants present: Daniel K. Goldsmith, Andrew Kent, and Nicholas W. West.

Committee members' assistants present: Brady King and Sharon L. Waxman, assistants to Senator Kennedy; Christina Evans, Erik Raven, and Craig E. Bury, assistants to Senator Byrd; Frederick M. Downey, assistant to Senator Lieberman; Marshall A. Hevron and Jeffrey S. Wiener, assistants to Senator Landrieu; Elizabeth King, assistant to Senator Reed; Davelyn Noelani Kalipi and Richard Kessler, assistants to Senator Akaka; William K. Sutey, assistant to Senator Bill Nelson; Eric Pierce, assistant to Senator Ben Nelson; Neal Orringer, assistant to Senator Carnahan; William Todd Houchins, assistant to Senator Dayton; Benjamin L. Cassidy, assistant to Senator Warner; Bill Tuten, assistant to Senator Thurmond; Christopher J. Paul, assistant to Senator McCain; John A. Bonsell, assistant to Senator Inhofe; Robert Alan McCurry and James Beauchamp, assistants to Senator Roberts; Douglas Flanders, assistant to Senator Allard; James P. Dohoney, Jr., assistant to Senator Hutchinson; Arch Galloway II, assistant to Senator Sessions; Kristine Fauser, assistant to Senator Collins; and Derek Maurer, assistant to Senator Bunning.

# **OPENING STATEMENT OF SENATOR CARL LEVIN, CHAIRMAN**

Chairman LEVIN. Good afternoon, everybody. The Senate Armed Services Committee meets this afternoon to continue our hearings on U.S. policy toward Iraq. The purpose of these hearings is to give the administration an opportunity to present its position on Iraq and to allow this committee to examine the administration's proposal with administration witnesses and experts outside the government.

We welcome Secretary of Defense, Donald Rumsfeld, and Chairman of the Joint Chiefs of Staff, General Richard Myers, to the committee. Next week, the committee will hear from former senior military commanders on Monday and from former national security officials on Wednesday.

We begin with the common belief that Saddam Hussein is a tyrant and a threat to the peace and stability of the region. He has ignored the mandates of the United Nations and is building weapons of mass destruction and the means of delivering them.

Last week, in his speech to the United Nations, President Bush rightfully declared that the Iraqi threat is, "exactly the kind of aggressive threat that the United Nations was born to confront." The President reminded the world that Iraqi aggression was stopped after the invasion of Kuwait, in his words, "by the might of the coalition force and the will of the United Nations." The President called upon the United Nations to act again, stating, "My Nation will work with the U.N. Security Council to meet our common challenge. If Iraq defies us again, the world must move deliberately, decisively to hold Iraq to account. We will work with the U.N. Security Council for the necessary resolutions."

We, in Congress, applauded the President's efforts to galvanize the world community through the United Nations to deal with the threat posed by Saddam Hussein. Our actions now in Congress should be devoted to presenting a broad, bipartisan consensus in that critical effort. This does not mean giving a veto to the U.N. over U.S. foreign policy. No one is going to do that. It is an acknowledgment that Saddam is a world problem and should be addressed in the world arena, and that we are in a stronger position to disarm Iraq and even possibly avoid war if Saddam sees the world at the other end of the barrel, not just the United States.

Some have suggested that we also commit ourselves to unilateral action in Iraq and that we do so now. In the middle of our efforts to enlist the world community to back a U.N. resolution or resolutions enforcing Iraqi compliance with unconditional inspections and disarmament requirements, they say that, although we told the U.N. that their role is vital just a week ago, we should now say we are just fine in proceeding on our own. I believe if we really mean it when we say that we want the U.N. to be relevant, then we should not act in a manner that treats them as irrelevant.

When Iraq invaded Kuwait in August of 1990, the United Nations, at the urging of former President Bush and with the full support of Congress, condemned Iraq's invasion of Kuwait, demanded that Iraq withdraw its forces, and, in November of 1990, passed a resolution authorizing member states to use all necessary means to free Kuwait. Two months later, in January 1991, after debate and a close vote, Congress passed a resolution authorizing the partici-

pation of U.S. Armed Forces in that effort. The military campaign against Saddam Hussein in 1991 by the U.S.-led coalition was carried out with the active participation of most of our NATO allies, the ground forces of several Muslim nations, and the support and backing of virtually every nation in the world.

U.N. resolutions paved the way for the establishment and enforcement of the no-fly zones over Northern and Southern Iraq and for the air and missile attacks on Iraqi facilities related to weapons of mass destruction programs that it had in December of 1998 following Iraq's expulsion of the U.N. weapons inspectors.

The experience of the last decade teaches us that, in dealing with Iraq, the United States has been able to work with the world community through the United Nations. A go-it-alone approach where we attack Iraq without the support and participation of the world community would be very different. It would entail grave risks and could have serious consequences for U.S. interests in the Middle East and around the world.

If we go it alone, would we be able to secure the use of air bases, ports, supply bases, and overflight rights in the region important to the success of a military operation against Saddam Hussein? If we go it alone, would we continue to enjoy broad international support for the war on terrorism, including the law enforcement, financial, and intelligence cooperation that has proven to be so essential? If we go it alone, what would be the impact on the stability of moderate Arab nations, and what would be our future relationship with moderate Arab and Muslim nations? If we go it alone without U.N. authority in attacking Saddam, would he or his military commanders be more likely to use weapons of mass destruction against other nations in the region and against U.S. military forces in response than would be the case if he faced a U.N.-authorized coalition, particularly if that coalition included a number of Muslim nations, as the coalition did during the Gulf War? If we go it alone, would other nations use our action as a precedent for threatening unilateral military action against their neighbors in the future?

Members of this Senate Armed Services Committee are ever mindful of the fact that confronting the threat posed by Saddam Hussein could ultimately lead to committing U.S. military forces, including ground forces, to combat. How and under what circumstances we commit our Armed Forces to an attack on Iraq could have far-reaching consequences for our interests throughout the world and for the future peace and stability in the Persian Gulf and Middle East.

I want to echo the statement that General Myers makes in his prepared remarks. "America's military is the most capable and professional fighting force in the world." There is no doubt in my mind—and there should be no doubt in Saddam Hussein's mind—that, once committed, our Armed Forces will prevail in any conflict. None of us seeks such a conflict, but, if it comes, our military will have the full support of every member of this body, whether they favor committing to a go-it-alone approach at this time or not.

Senator Warner.

# STATEMENT OF SENATOR JOHN WARNER

Chairman WARNER. Thank you, Mr. Chairman.

Secretary Rumsfeld, I read, with great interest, an account of your testimony before the House yesterday. I was particularly moved by your comments with regard to Israel, its role in the 1991 episode, and the threats poised as a consequence of this extraordinary unrest relating to Iraq.

I wrote the President a letter on August 2, a copy of which went to you. I went to the floor of the Senate today and put that letter in the record, expressing my deep concern about this conflict and my compassion for the people of Israel who have suffered these devastating losses. I would hope, in due course, that could be taken into consideration, because I think there's a connection between the unrest that is a consequence of the tragic disputes between the people of Israel and the Palestinian people and the options that we face as we examine the problems in Iraq.

So I thank you, Mr. Chairman, for this hearing. I begin by commending President Bush for the leadership he has shown on the issue of the threat to the world, not just the United States, posed by Saddam Hussein in his relentless drive to manufacture and acquire weapons of mass destruction. We would not be holding this hearing today—we, in all likelihood, would not be having the full attention of the United Nations—had it not been for the bold leadership given by President George Bush together with the Prime Minister of Great Britain, Tony Blair, who both brought attention to the threat posed by Saddam Hussein to the whole world.

I commend you, Mr. Secretary, the Secretary of State, Colin Powell, and others who have been in the very forefront of bringing into sharp focus threats posed by the weapons of mass destruction which he possesses today and which every single day he is working to augment and build.

Mr. Chairman, on August 27, I wrote you, as a follow on to our previous discussions, a letter requesting that the committee hold these hearings on Iraq. You and I have concurred on a series of hearings, the details of which are forthcoming. We're going to go into this situation very carefully.

[The information referred to follows:]

*August 27, 2002.*

Chairman CARL LEVIN,  
Committee on Armed Services,  
United States Senate,  
Washington, DC.

DEAR CARL: We have been regularly discussing the role of our committee in the on-going debates in Congress and in the public on Iraq. Together, we decided to defer setting a schedule for hearings on Iraq until the Senate Foreign Relations Committee undertook an initial exploration of policy-related considerations. Those hearings, which were conducted on July 31 and August 1, turned out to be constructive and beneficial.

Since the commencement of our recess on August 1, the crescendo of debate on Iraq has reached an extraordinary level, with knowledgeable people—many of whom have served in public office—rendering conscientious, constructive opinions, with a growing diversity of viewpoints.

The time has come, I think you will agree, for you and I to set a schedule of hearings for our committee to explore the national security implications of possible military action against Iraq. While any schedule of hearings will follow our regular procedures for selecting witnesses, I believe we should begin with administration witnesses—preferably Secretary Rumsfeld and Chairman of the Joint Chiefs General Myers.

As I look back on the 1990 and 1991 congressional activities related to Iraq, the work of our committee was crucial. Sam Nunn, as the chairman, and I, as the ranking member, held a series of hearings throughout the fall and winter of 1990, leading up to the historic debate on the Gulf War resolutions on January 10–12, 1991. As you may recall, when our committee conducted a series of hearings in 1990 following the Iraqi invasion of Kuwait, our first hearing was with then-Secretary of Defense Cheney and then-Chairman of the Joint Chiefs General Powell on September 11, 1990.

I was the principal author of the resolution to authorize the use of force against Iraq, which passed by a mere five votes on January 12, 1991. Immediately following that vote, having satisfied itself that the Senate had had a full and fair debate, all united in support behind the President. This resolution is now being cited—as it was during the previous administration—as one of the legal foundations for military action against Iraq.

Our committee performed an essential role through its hearings in 1990 in developing the body of fact that was used during the Senate floor debate and the public debate. It is important, subject to protecting classification of certain facts, that the American people be informed. Their support is essential.

While I cannot predict all that the Senate will do in the coming weeks prior to adjournment, I believe that the issue of Iraq will be central. Our committee, therefore, should convene a series of hearings on Iraq, as soon as possible, to contribute to a full body of fact for any Senate deliberations on this issue.

As I read and follow the debate, there appears to be a “gap” in the facts possessed by the executive branch and the facts possessed by the legislative branch. I am encouraged that the President and his senior advisors have repeatedly stated that there will be “consultations” with Congress prior to the initiation of any military action against Iraq. Our committee has an important role to play in these consultations. We must act to provide the necessary facts so individual members can make informed decisions.

Congress, as a co-equal branch of government, is, in my opinion, not going to sit on the sidelines. It is essential, I believe, in this extraordinarily complex foreign policy debate, that Congress step up and assume its responsibilities, and share with the President and the executive branch accountability to the public for such actions as may be taken regarding military action against Iraq.

Speaking for myself, I do not contest the President’s right, as Commander in Chief under the Constitution, to initiate the use of military force when U.S. interests are threatened. Through our 24 years in the Senate, you and I have witnessed many Senate debates over the War Powers Resolution and related issues, and those issues will not be resolved now.

I do believe, as do a majority of members, that Congress has a responsibility to add its voice to the debate on an issue involving the use of U.S. military force. Hearings by our committee on Iraq are an essential first step in exercising that responsibility.

We owe no less to the brave men and women of our Armed Forces, and their families, who stand by, as always, to carry out the orders of the Commander in Chief.

With kind regards, I am

Sincerely,

JOHN WARNER,  
*Ranking Member.*

In 1990 and 1991, when I was privileged to be ranking member of the committee, together with Senator Nunn as chairman, our committee was critical in putting together a record for the historic debate on the Senate floor early in January. The committee held a series of nine hearings and two closed briefings on the situation in the Persian Gulf in the fall and winter of 1990, leading up to the debate on the Senate floor on January 10, 11, and 12, 1991. Those hearings developed the body of fact that was used during the Senate floor debate and, indeed, the equally important public debate on Iraq. The committee will fulfill that same important function today.

I was privileged to be an author of the resolution that was debated on the floor, and it carried by a mere five votes. My distinguished colleague to my right, Mr. Lieberman, was my principal co-sponsor on that resolution.



We started the committee hearings on Iraq on Tuesday with testimony from the Director of Central Intelligence, George Tenet, and the acting Director of the Defense Intelligence Agency, Rear Admiral Jake Jacoby. It was a sobering, thorough assessment that was given to all members of the committee, a common base of knowledge about the clear and growing threat that Saddam Hussein poses to the United States, to the region, and to the entire international community. In particular, Saddam Hussein's relentless pursuit of weapons of mass destruction and the means to deliver these weapons represents a present threat and an immediate challenge to the international community. Our President made that ever so clear in his speech.

We must end Saddam Hussein's continued defiance of the clear pronouncements of the international community as expressed in a series of 16 U.N. Security Council resolutions, beginning with the resolution which mandated the council's terms and conditions for how the war was to end.

I remind my colleagues that the Iraqis agreed in writing on April 6, 1991, in a letter to the U.N. Secretary General from the Iraqi Foreign Minister, to accept the cease-fire conditions as embodied in U.N. Security Council Resolution 687.

Prior to that, we all watched as Iraqi generals, at the direction of Saddam Hussein, met in a tent at the Safwan Airfield in Iraq, with General Norman Schwarzkopf, the brave commander who led the U.S. and coalition forces to victory, to discuss the conditions for a ceasefire. Those conditions have never been met.

It is now most appropriate that we hear from the Secretary of Defense and the Chairman of the Joint Chiefs on the role of the Department of Defense—and particularly the men and women in uniform—in implementing U.S. policy toward Iraq as that evolves. Most important is the readiness of our Armed Forces and their ability to carry out such military operations as may be directed in the future.

Our President didn't go to the U.N. and declare war. He went to the U.N. to say, "It's time for you to become accountable to your charter, to your forebears, to those who conceived this organization, and to the world."

One week ago, our President gave a historic speech at the United Nations, challenging the U.N. to live up to its responsibilities as stated in Article I of the U.N. Charter and "to take effective collective measures for the prevention and removal of threats to the peace."

In my view, President Bush's speech was clearly one of the finest and most important speeches ever given by a head of state to the August assembly of the United Nations. The speech dramatically elevated the level of debate and the attention of the world's leaders on Iraq's conduct and continued defiance of the United Nations. It further challenged the nations of the world to think long and hard about what they expect from the United Nations. Is it to be effective and relevant and live up to its Charter, or is it to be irrelevant and fall into the dustbin of history, as did the League of Nations as the world descended into darkness in the aftermath of World War I?

Of equal importance, the President's U.N. speech articulated a clear, decisive, and timely U.S. policy on Iraq, that is, to remove the threat before Iraq is able to use weapons of mass destruction now in its arsenal and every day being added to the arsenal. The U.S. is now firmly on a course to accomplish this policy and invites the nations of the world to join.

I remind my colleagues that the President's policy of regime change is the same policy that Congress adopted with the unanimous support of the Senate in October of 1998 and the policy that President Clinton later endorsed and vigorously defended.

Over the past several weeks, many Members of Congress and many American citizens have expressed their hope for meaningful consultations between Congress and the President, as well as consultations with our allies and the United Nations. Our President has done exactly that. It is now time for Congress to express to the people of our Nation and to the world its support squarely and overwhelmingly behind our President as he leads the international community. The price of inaction is far too great if the international community fails to confront this danger now, once and for all.

By bringing his case to the U.N., President Bush clearly demonstrated his belief that the effort to counter Saddam Hussein is an international responsibility. The United States strongly desires multilateral action. But if the U.N. fails to act, the United States, like all other member nations under the U.N. Charter, reserves unto itself the right to take whatever action is necessary to protect our people and our Nation from the threat of Saddam Hussein.

Predictably, the Iraqi regime has responded to the President's speech with a tactical move designed to fracture the consensus that was forming in the United Nations. It is merely a trap, in my opinion, to buy more time for Saddam Hussein to further delay compliance with international mandates, as expressed in the 16 U.N. Security Council resolutions. I shall not recite those resolutions, but just place them in the record.

[The information referred to follows:]

### **Saddam Hussein's Defiance of United Nations Resolutions**

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Saddam Hussein has repeatedly violated each of the following resolutions:

#### **UNSCR 678 - November 29, 1990**

- Iraq must comply fully with UNSCR 660 (regarding Iraq's illegal invasion of Kuwait) "and all subsequent relevant resolutions."
- Authorizes UN Member States "to use all necessary means to uphold and implement resolution 660 and all subsequent relevant resolutions and to restore international peace and security in the area."

#### **UNSCR 686 - March 2, 1991**

- Iraq must release prisoners detained during the Gulf War.
- Iraq must return Kuwaiti property seized during the Gulf War.
- Iraq must accept liability under international law for damages from its illegal invasion of Kuwait.

#### **UNSCR 687 - April 3, 1991**

- Iraq must "unconditionally accept" the destruction, removal or rendering harmless "under international supervision" of all "chemical and biological weapons and all stocks of agents and all related subsystems and components and all research, development, support and manufacturing facilities."
- Iraq must "unconditionally agree not to acquire or develop nuclear weapons or nuclear-weapons-usable material" or any research, development or manufacturing facilities.
- Iraq must "unconditionally accept" the destruction, removal or rendering harmless "under international supervision" of all "ballistic missiles with a range greater than 150 KM and related major parts and repair and production facilities."
- Iraq must not "use, develop, construct or acquire" any weapons of mass destruction.
- Iraq must reaffirm its obligations under the Nuclear Non-Proliferation Treaty.
- Creates the United Nations Special Commission (UNSCOM) to verify the elimination of Iraq's chemical and biological weapons programs and mandated that the International Atomic Energy Agency (IAEA) verify elimination of Iraq's nuclear weapons program.

- Iraq must declare fully its weapons of mass destruction programs.
- Iraq must not commit or support terrorism, or allow terrorist organizations to operate in Iraq.
- Iraq must cooperate in accounting for the missing and dead Kuwaitis and others.
- Iraq must return Kuwaiti property seized during the Gulf War.

**UNSCR 688 - April 5, 1991**

- "Condemns" repression of Iraqi civilian population, "the consequences of which threaten international peace and security."
- Iraq must immediately end repression of its civilian population.
- Iraq must allow immediate access to international humanitarian organizations to those in need of assistance.

**UNSCR 707 - August 15, 1991**

- "Condemns" Iraq's "serious violation" of UNSCR 687.
- "Further condemns" Iraq's noncompliance with IAEA and its obligations under the Nuclear Non-Proliferation Treaty.
- Iraq must halt nuclear activities of all kinds until the Security Council deems Iraq in full compliance.
- Iraq must make a full, final and complete disclosure of all aspects of its weapons of mass destruction and missile programs.
- Iraq must allow UN and IAEA inspectors immediate, unconditional and unrestricted access.
- Iraq must cease attempts to conceal or move weapons of mass destruction, and related materials and facilities.
- Iraq must allow UN and IAEA inspectors to conduct inspection flights throughout Iraq.
- Iraq must provide transportation, medical and logistical support for UN and IAEA inspectors.

**UNSCR 715 - October 11, 1991**

- Iraq must cooperate fully with UN and IAEA inspectors.

**UNSCR 949 - October 15, 1994**

- "Condemns" Iraq's recent military deployments toward Kuwait.
- Iraq must not utilize its military or other forces in a hostile manner to threaten its neighbors or UN operations in Iraq.

- Iraq must cooperate fully with UN weapons inspectors.
- Iraq must not enhance its military capability in southern Iraq.

**UNSCR 1051 - March 27, 1996**

- Iraq must report shipments of dual-use items related to weapons of mass destruction to the UN and IAEA.
- Iraq must cooperate fully with UN and IAEA inspectors and allow immediate, unconditional and unrestricted access.

**UNSCR 1060 - June 12, 1996**

- "Deplores" Iraq's refusal to allow access to UN inspectors and Iraq's "clear violations" of previous UN resolutions.
- Iraq must cooperate fully with UN weapons inspectors and allow immediate, unconditional and unrestricted access.

**UNSCR 1115 - June 21, 1997**

- "Condemns repeated refusal of Iraqi authorities to allow access" to UN inspectors, which constitutes a "clear and flagrant violation" of UNSCR 687, 707, 715, and 1060.
- Iraq must cooperate fully with UN weapons inspectors and allow immediate, unconditional and unrestricted access.
- Iraq must give immediate, unconditional and unrestricted access to Iraqi officials whom UN inspectors want to interview.

**UNSCR 1134 - October 23, 1997**

- "Condemns repeated refusal of Iraqi authorities to allow access" to UN inspectors, which constitutes a "flagrant violation" of UNSCR 687, 707, 715, and 1060.
- Iraq must cooperate fully with UN weapons inspectors and allow immediate, unconditional and unrestricted access.
- Iraq must give immediate, unconditional and unrestricted access to Iraqi officials whom UN inspectors want to interview.

**UNSCR 1137 - November 12, 1997**

- "Condemns the continued violations by Iraq" of previous UN resolutions, including its "implicit threat to the safety of" aircraft operated by UN inspectors and its tampering with UN inspector monitoring equipment.
- Reaffirms Iraq's responsibility to ensure the safety of UN inspectors.
- Iraq must cooperate fully with UN weapons inspectors and allow immediate, unconditional and unrestricted access.

**UNSCR 1154 - March 2, 1998**

- Iraq must cooperate fully with UN and IAEA weapons inspectors and allow immediate, unconditional and unrestricted access, and notes that any violation would have the "severest consequences for Iraq."

**UNSCR 1194 - September 9, 1998**

- "Condemns the decision by Iraq of 5 August 1998 to suspend cooperation with" UN and IAEA inspectors, which constitutes "a totally unacceptable contravention" of its obligations under UNSCR 687, 707, 715, 1060, 1115, and 1154.
- Iraq must cooperate fully with UN and IAEA weapons inspectors, and allow immediate, unconditional and unrestricted access.

**UNSCR 1205 - November 5, 1998**

- "Condemns the decision by Iraq of 31 October 1998 to cease cooperation" with UN inspectors as "a flagrant violation" of UNSCR 687 and other resolutions.
- Iraq must provide "immediate, complete and unconditional cooperation" with UN and IAEA inspectors.

**UNSCR 1284 - December 17, 1999**

- Created the United Nations Monitoring, Verification and Inspections Commission (UNMOVIC) to replace previous weapon inspection team (UNSCOM).
- Iraq must allow UNMOVIC "immediate, unconditional and unrestricted access" to Iraqi officials and facilities.
- Iraq must fulfill its commitment to return Gulf War prisoners.
- Calls on Iraq to distribute humanitarian goods and medical supplies to its people and address the needs of vulnerable Iraqis without discrimination.

Senator WARNER. How will we explain to the American people, if, in the wake of a future attack on the United States or U.S. interests, directly by Saddam Hussein or indirectly through surrogate terrorists equipped and directed by him, that we knew Saddam Hussein had weapons of mass destruction, that we knew he intended to manufacture and acquire even more and to use these weapons, and yet, at this time, we failed to act? Now, more than ever before, Congress, as an equal branch of the Government, must join our President and support the course he has set. We have to demonstrate a resolve within our Nation and internationally that communicates to Saddam Hussein that enough is enough. He has to be convinced that American and international resolve is real, unshakable, and enforceable if there's to be hope of any progress of disarmament of his weapons of mass destruction.

To the extent that Congress joins in support of our President and sends that message unambiguously to the international community, the United Nations, is the extent to which the forthcoming resolution of the U.N. will resolve this crisis.

I thank you.

[The prepared statement of Senator Warner follows:]

PREPARED STATEMENT BY SENATOR JOHN WARNER

Thank you, Mr. Chairman. I join you in welcoming Secretary Rumsfeld and General Myers back before the committee.

I begin this afternoon by commending our President, President Bush, for the leadership he has shown on the issue of the threat to the world, not just to the United States, posed by Saddam Hussein in his relentless drive to manufacture and acquire weapons of mass destruction. We would not be holding this hearing today, not be preparing for a full debate in the U.S. Senate, had not our President focused the attention of the world on this threat to freedom. This is not the United States against the Iraqi people; it is the free world against Saddam Hussein.

Mr. Chairman, on August 27, I wrote you, as a follow-on to our previous discussions, requesting that the committee hold a series of hearings on U.S. policy on Iraq. I ask unanimous consent that the text of my letter be made a part of the record of this hearing.

In 1990 and 1991, our committee's activities were critical to the congressional action on the first Gulf War resolution, which authorized the use of force against Iraq. Our committee held a series of nine hearings and two closed briefings on the situation in the Persian Gulf in the fall and winter of 1990, leading up to the historic debate on the Senate floor on January 10–12, 1991. Those hearings developed the body of fact that was used during the Senate floor debate and, indeed, the equally important public debate on Iraq. Our committee will fulfill that same important function again, together with other committees.

We started the committee's hearings on Iraq on Tuesday with testimony from the Director of Central Intelligence, George Tenet, and the acting Director of the Defense Intelligence Agency, Rear Admiral Jake Jacoby, on the situation in Iraq. It was a sobering, thorough assessment that has given all members of the committee a common base of knowledge about the clear and growing threat that Saddam Hussein poses to the United States, to the region, and to the entire international community. In particular, Saddam Hussein's relentless pursuit of weapons of mass destruction, and the means to deliver these weapons, represents a present threat and an immediate challenge to the international community. We must end Saddam Hussein's continued defiance of the clear pronouncements of the international community, as expressed in a series of 16 U.N. Security Council Resolutions (UNSCR), beginning with the resolution which mandated the Council's terms and conditions for how the war was to end.

I remind my colleagues that the Iraqis agreed, in writing—on April 6, 1991, in a letter to the U.N. Secretary General from the Iraqi Foreign Minister—to accept the cease fire conditions, as embodied in U.N. Security Council Resolution 687. Prior to that, we all watched as Iraqi generals, at the direction of Saddam Hussein, met in a tent at the Safwan Airfield in Iraq, with General Norman Schwarzkopf, the brave commander who led the U.S. and coalition forces to victory, to discuss the conditions for a cease fire. Those conditions have never been met.

It is now most appropriate that we hear from the Secretary of Defense and the Chairman of the Joint Chiefs of Staff on the role of the Department of Defense—and particularly the men and women in uniform—in implementing U.S. policy toward Iraq. Most important is the readiness of our Armed Forces and their ability to carry out such military operations as may be directed in the future.

One week ago today, our President gave an historic speech at the United Nations, challenging the U.N. to live up to its responsibilities as stated in article 1 of the U.N. Charter, “. . . to take effective collective measures for the prevention and removal of threats to the peace.” In my view, President Bush's speech was clearly one of the finest and most important speeches ever given by a head of state to the August assembly in the U.N. The speech dramatically elevated the level of debate and the attention of the world's leaders on Iraq's conduct and continued defiance of the U.N. It further challenged the nations of the world to think long and hard about what they expect from the United Nations—is it to be effective and relevant, and live up to its Charter; or is it to be irrelevant and fall into the dustbin of history, as did the League of Nations as the world descended into the darkness of World War II?

Of equal importance, the President's U.N. speech articulated a clear, decisive, and timely U.S. policy on Iraq—that is, to remove the threat before Iraq is able to use its WMD arsenal. The U.S. is now firmly on a course to accomplish this policy and invites the nations of the world to join. I remind my colleagues that the President's policy of regime change is the same policy that Congress adopted—with the unanimous support of the Senate—in October of 1998, and the policy that President Clinton later endorsed and vigorously defended.

Over the last several weeks, many Members of Congress and many American citizens expressed their hope for meaningful consultations between Congress and the President, as well as consultations with our allies and the U.N. Our President has done exactly that. It is now time for Congress to express to the people of our Nation and to the world its support, squarely and overwhelmingly behind our President as he leads the international community. The price of inaction is far too great if the international community fails to confront this danger, now, once and for all.

By bringing his case to the U.N., President Bush clearly demonstrated his belief that the effort to counter Saddam Hussein is an international responsibility. The United States strongly desires multilateral action. But if the U.N. fails to act, the United States—like all other member nations under the U.N. Charter—reserves unto itself the right to take whatever action is necessary to protect our people and our Nation from the threat posed by Saddam Hussein.

Predictably, the Iraqi regime has responded to the President's speech with a tactical move designed to fracture the consensus that was forming at the U.N. It is merely a trap to buy more time for Saddam Hussein to further delay compliance with international mandates, as expressed in 16 U.N. Security Council resolutions.

As we contemplate the vote we will be called on to cast in the weeks ahead, it is important to remember what we know about Saddam Hussein and his actions, to date:

- We know Saddam Hussein is a tyrant who has ruthlessly suppressed and murdered all opposition, dissident elements, and potential political competitors since he assumed office in 1979 (he murdered 20 potential rivals in his own Ba'athist Party within a month of taking power).
- We know Saddam Hussein intends to dominate the region and control significant portions of world oil production, as demonstrated by his aggression against Iran in the 1980s, his invasion and annexation of Kuwait in 1990, and his continuing threats against Kuwait, Saudi Arabia, Jordan, the Kurds and others.
- We know Saddam Hussein has extensive stocks of chemical and biological weapons.
- We know Saddam Hussein is aggressively seeking nuclear weapons capabilities on multiple fronts.
- We know Saddam Hussein continues to develop a variety of means to deliver his stockpile of weapons of mass destruction, both conventional and unconventional.
- We know Saddam Hussein has used such weapons on his own people, using chemical weapons to kill 50–100,000 Kurds in northern Iraq in 1988.
- We know Saddam Hussein has used weapons of mass destruction against another nation—even though the survival of his regime was not in doubt—when he used chemical weapons against Iranian soldiers multiple times between 1981 and 1986.
- We know Saddam Hussein has successfully used denial and deception techniques over the past decade to fool the world and U.N. inspectors about the extent of his WMD efforts and stocks.

I could go on and list other horrific conduct by Saddam, but I think the point is clear—we know a great deal about this ruthless man and his brutal regime; we cannot allow the threat to continue.

How will we explain to the American people—in the wake of a future attack on the United States or U.S. interests, directly by Saddam Hussein, or indirectly through surrogate terrorists equipped and directed by him—that we knew Saddam Hussein had weapons of mass destruction, that we knew he intended to manufacture and acquire even more and to use these weapons—and yet, we failed to act.

Now, more than ever, Congress, as an equal branch of government, must join our President and support the course he has set. We have to demonstrate a resolve within our Nation and internationally, that communicates to Saddam Hussein that “enough is enough.” He has to be convinced that American and international resolve is real, unshakable and enforceable if there is to be any hope of progress.



To the extent that Congress joins and supports our President and sends that message unambiguously to the international community, is the extent to which the forthcoming resolution of the United Nations will resolve this crisis. Thank you.

Chairman LEVIN. Thank you very much, Senator Warner. I would like to submit the written statements of Senator Kennedy and Senator Landrieu.

[The prepared statements of Senator Kennedy and Senator Landrieu follow:]

PREPARED STATEMENT BY SENATOR EDWARD M. KENNEDY

September 11, 2001, has irrevocably changed America's view of the world. No American will ever forget watching a hijacked civilian aircraft crash into the towers of the World Trade Center or seeing the plume of smoke rise from the Pentagon in the aftermath of the terrorist attack. No American will ever forget the sense of anger and vulnerability that swept our Nation that day, when thousands of innocent lives were suddenly, and senselessly, ended by those vicious acts. Since then, the United States has conducted a war on terrorism, defeating the Taliban regime in Afghanistan, disrupting the al Qaeda operations in that country and supporting a new government there that will give no refuge to terrorists. We know that the war on terrorism will continue on many fronts, militarily and diplomatically.

Now our Nation and the international community are in the midst of a debate about how best to address the threat posed by Iraq. There is no doubt that Saddam Hussein's regime is a serious danger. I commend President Bush for expressing America's willingness to work with the United Nations to end that danger and prevent Iraq from using chemical, biological, or nuclear weapons to threaten other countries.

Working with the United Nations is the right course. The United States is better off working with the international community, rather than unilaterally, in dealing with the threat Hussein poses. We need to do all we can to win the support of other nations.

As of today, many questions still remain unanswered: Is war the only option? How much support will we have in the international community? How will war affect our global war against terrorism? How long will the United States need to stay in Iraq? How many casualties will there be? Would our action make a wider and more dangerous war more likely, especially if Saddam decides to use chemical, biological, or nuclear weapons? Congress will continue to debate the issue and seek answers to these and other questions. War must always be a last resort, not the first resort.

I look forward to hearing from Secretary Rumsfeld and General Myers on these issues that are of deepest concern to all of us.

PREPARED STATEMENT BY SENATOR MARY L. LANDRIEU

We cannot question that Saddam Hussein is a totalitarian leader who poses an emerging threat to the United States and the Middle East. He has shown no respect for the rule of law or civil order. Saddam Hussein has a long history of destabilizing the Middle East—first by invading Iran and second by invading Kuwait. Moreover, Saddam Hussein has and will continue to pursue Iraq's chemical, biological, and nuclear weapons programs—weapons he could use himself or peddle to our terrorist enemies. Saddam has used weapons of mass destruction against his own people and the Iranians, killing thousands. It could only be a matter of time before he uses them, again, to cause havoc and mayhem in the world. At this hearing, we are not here to question if Saddam Hussein must go, but when and how.

Pursuing diplomatic means is very worthy to compel Iraq to readmit weapons inspectors and disarm, but diplomatic means alone are insufficient. All too often, we have seen Iraq thumb its nose to the international community. Sixteen resolutions were passed before and after the Gulf War. None was followed. Just 2 days ago, Iraq notified the United Nations that Iraq would be willing to admit U.N. weapons inspectors to return. Regrettably, Saddam Hussein has burned too many bridges and his entreaties have lost all credibility. No purely diplomatic resolution will ensure that Iraq allows inspectors full access throughout the country to search for weapons of mass destruction (WMD). No purely diplomatic resolution will guarantee that Iraq will disarm and discontinue its pursuit and production of WMD. It would be folly for the United Nations Security Council to support a resolution that only requires Iraq to invite inspectors to return. If the future is anything like the past, Saddam Hussein would only make a charade of the inspections. Those inspectors

would have everything but unfettered access to Iraq's weapons of mass destruction. With all diplomacy involving Saddam Hussein, he must know that military force capable of toppling his regime will bear down upon him if he does not fully cooperate with inspectors wishing to dismantle his chemical, biological, and nuclear weapons programs.

Conversely, we simply cannot pursue war without diplomacy. To fight alone would be unwise. We have an opportunity to install a paradigm shift in the Middle East. This is an opportunity to make a real difference to bring the American values of peace, democracy, and free markets, as Tom Friedman has said, to Iraq and the region, if we use our influence and our military might properly. We must embark on a diplomatic path that unites those in favor of peace, democracy, and free markets on a mission to use force, if necessary, to change the regime in Iraq and demilitarize Iraq so that the Iraqi people can throw off the chains of Saddam's oppression. Then, the Iraqi people will be able to accept the notion that American ideals are ideals all people want to share. With the proper diplomacy, the United States can build a coalition—one just as large as the coalition created to fight the Gulf War that also includes our Arab allies—to topple Saddam Hussein if he does not allow for full inspections and disarmament.

For weeks and months the administration pursued a unilateral approach that favored a call to arms with too little attention to diplomacy. Last week, the President addressed the United Nations and took a necessary step to create a balanced approach that will permit the use of force if diplomacy is thwarted in Iraq. The administration still has much work to do to convince the Security Council and a coalition to support the authorization of force if Saddam Hussein does not commit to full inspections and disarmament. The French, Russians, and Chinese, who hold veto power on the Security Council, have not yet endorsed military force as the stick-to-the-carrot of inspections. Nevertheless, the administration should not give up easily to bring these countries in line with our point of view. We should not simply say that we can defeat Saddam Hussein on our own. Of course, America can topple Iraq without our allies, but more harm than good could be done by such actions. America will be seen as the bully, not the protector of the world from despots and terrorists. We will not be, as we have always been, the liberator of people without a voice.

Rather, we should redouble our diplomatic efforts in support. After all, there have been successes in just a few days. For months Saudi Arabia voiced objections to the American use of Saudi bases to strike Iraq, but Saudi Arabia is now warming up to the use of their bases after the President's address to the U.N. Diplomacy is creating the consent to use force.

Again, I do not question if Saddam must disarm or be toppled; the question is when we should do it. Quite frankly, we should be prepared to use force if he does not respond to U.S. and international diplomatic pressure. We should not wait for him to assemble a nuclear weapon before taking it out of his hands. Saddam is analogous to the drug dealer poisoning the neighborhood by selling drugs to the residents. Saddam is capable of supplying al Qaeda, Hamas, and Hezbollah with WMD to attack us and our allies, if he does not choose to do it himself. Again, as he seeks a nuclear bomb, he is looking to push an even more deadly drug. He should not be allowed to push his brand of despotism any further.

Finally, we must take seriously how we will depose Saddam, if necessary. The administration should work diligently to build a coalition. Because if we invade Iraq, we will need to be there for the long term. We cannot act alone and then expect to use diplomatic efforts to gain support from the rest of the world. We will need the world's military, economic, and political backing, and we must act now to gain that partnership.

In closing, diplomacy and military force together will allow America to reach its objectives in Iraq. Either alone will fail.

Secretary Rumsfeld, we now turn to you and General Myers for your opening statements, and then when it comes back to us we'll have rounds of 6 minutes each.

#### **STATEMENT OF HON. DONALD H. RUMSFELD, SECRETARY OF DEFENSE**

Secretary RUMSFELD. Mr. Chairman, members of the committee, I thank you for this opportunity to meet with you today. I have submitted a rather lengthy statement where I set forth in some detail what I believe to be the situation with respect to Iraq. I re-

quest that it be made a part of the record, and I will just make some brief remarks, nowhere near as long as an opening statement.

Chairman LEVIN. We'll make your full statement part of the record.

Secretary RUMSFELD. Last week we commemorated the 1-year anniversary of the most devastating attack our Nation has ever experienced, more than 3,000 people killed in a single day. Today, I want to discuss the task of preventing even more devastating attacks, attacks that could kill not thousands, but potentially tens of thousands of our fellow citizens.

This is not an intelligence briefing. It is obviously an open hearing, and my remarks will reflect those facts. Further, I'm not here to recommend the use of force in Iraq, multilateral or unilateral, or to suggest that the President has made a decision beyond what he has told the United Nations and the congressional leadership and, indeed, the American people.

I am here to discuss Iraq, as requested by the committee and by the President, and to try to address a number of the questions that have come up during this national debate and public dialogue that's been taking place.

As we meet, chemists, biologists, and nuclear scientists are toiling in weapons labs and underground bunkers, working to give the world's most dangerous dictators weapons of unprecedented power and lethality. The threat posed by some of those regimes is real, is dangerous, and is growing with each passing day. We've entered a new security environment, one in which terrorist movements and terrorist states are developing the capacity to cause unprecedented destruction.

Today, our margin for error as a country is distinctly different than before. In the 20th century, we were dealing for the most part with conventional weapons that could kill hundreds or thousands, generally combatants. In the 21st century, we're dealing with weapons of mass destruction that can kill potentially tens of thousands of people—innocent men, women, and children.

We are in an age of little or no warning when threats can emerge suddenly. Terrorist states are finding ways to gain access to these powerful weapons, and in word and deed they have demonstrated a willingness to use those capabilities. Moreover, since September 11, we have seen a new means of delivering these weapons: terrorist networks. To the extent that they might transfer WMD to terrorist groups, they could conceal their responsibility for attacks on our people.

So I submit, Mr. Chairman, that we are on notice that an attack will likely be attempted. It's a question of when and by what technique. It could be months or years, but it will happen. If the worst were to happen, not one of us here today would be able to honestly say that it was a surprise, because it will not be a surprise. We have connected the dots as much as is humanly possible before the fact. Only by waiting until after the event could we have proof positive, and then it, of course, would be too late.

The question facing us is this, what is the responsible course of action for our country with our history and tradition? Do we believe it is our responsibility to wait for a chemical or biological or even

nuclear September 11? Or is it the responsibility of free people to take steps to deal with the threat before we are attacked?

There are a number of terrorist states pursuing weapons of mass destruction—Iran, Libya, North Korea, Syria, just to name a few—but no terrorist state poses a greater or more immediate threat to the security of our people than the regime of Saddam Hussein in Iraq.

Mr. Chairman, these facts about Saddam Hussein's regime should be part of the record and of our country's considerations. He has ordered the use of chemical weapons against his own people, in one case killing 5,000 innocent civilians in a day. His regime has invaded two of its neighbors. It has launched ballistic missiles against four of its neighbors. He plays host to terrorist networks. He regularly assassinates his opponents, both in Iraq and abroad. He has executed a member of his own cabinet, whom he personally shot and killed. He has ordered doctors to surgically remove the ears of military deserters. His regime has committed genocide and ethnic cleansing in Northern Iraq. His regime, on almost a daily basis, continues to fire missiles and artillery at U.S. and coalition aircraft. He has amassed large clandestine stockpiles of biological weapons, including anthrax, botulism toxin, and possibly smallpox. He has amassed large clandestine stockpiles of chemical weapons, including VX, sarin, and mustard gas. His regime has an active program to acquire nuclear weapons. His regime has dozens of ballistic missiles and is working to extend their ranges, in violation of U.N. restrictions. He has in place an elaborate organized system of denial and deception to frustrate both inspectors and outside intelligence efforts. His regime has diverted funds from the U.N.'s Oil for Food Program, intended to feed starving Iraqis, to fund weapons of mass destruction programs. He has violated 16 U.N. resolutions, repeatedly defying the will of the international community, without cost and without consequence.

The President warned the United Nations last week that his regime is a grave and gathering danger. It's a danger that we do not have the option to ignore. President Bush made clear that the United States wants to work with the U.N. Security Council, but he made clear the consequences of Iraq's continued defiance. "The purpose of the United States should not be doubted," he said, "The Security Council resolutions will be enforced or action will be unavoidable, and a regime that has lost its legitimacy will also lose its power."

The President has asked the Members of Congress to support actions that may be necessary to deliver on that pledge. He urged that Congress act before the recess. Delaying a vote in Congress would send the wrong message, just as we are asking the international community to take a stand and as we are cautioning Iraq to reflect on its options.

It was Congress that changed the objective of U.S. policy from containment to regime change by passage of the Iraq Liberation Act in 1998 by, as I recall, a 10-to-1 margin in both houses. The President is now asking Congress to support that policy. A decision to use military force, potentially, is never easy, and it's important that the issues surrounding this decision be discussed and debated seriously.

In recent weeks, a number of questions have been surfaced, many by Members of Congress and others. Some of the arguments raised are important, and, in my prepared testimony, I've tried to discuss in detail a number of those issues that have been raised. Let me just touch on a few here this afternoon.

Now that Iraq has agreed to unconditional inspections, the question goes, why does Congress need to act? Well, if we want to measure the depth of their so-called change of heart, I suggest we watch what they do, not what they say. On Monday, they sent a letter indicating that they were ready to begin cooperating with the U.N. Within hours, they began firing and trying to shoot down coalition aircraft. There have been two inspection regimes. They've thrown the ground inspectors out. The air inspections, Operations Northern Watch and Southern Watch, have been continuing with coalition pilots flying at risk of their lives. Since delivering the letter promising unconditional access, they have fired at coalition aircraft somewhere between 15 and 20 times, which is a considerable increase from the preceding period, before the letter.

I would add that today I'm told that the Iraqi Foreign Minister up at the United Nations made a speech and added a series of conditions to the unconditional proposal that had been sent by letter 2 or 3 days ago. They suggest that the inspections must operate within guidelines in a manner that respects Iraqi sovereignty and security. That was the quotation I was given, although I did not have a chance to listen to the speech personally.

The point is that Iraq has demonstrated great skill at playing the international community. When it's the right moment to lean forward, they do. When it's the right moment to lean back, they do. It's a dance. They go on for months, and, indeed, they've gone on for years jerking the U.N. around. When they find things are not going their way, they throw out a proposal like this. The issue is not inspections; the issue is disarmament. The problem is a lack of compliance. As the President made clear in his U.N. address, we require Iraq's compliance with all 16 U.N. resolutions.

Some have asked whether an attack on Iraq would disrupt and distract from the U.N. global war on terror. The answer is no. Iraq is part of the global war on terror. Stopping terrorist regimes from acquiring weapons of mass destruction is a key objective of that war, and we can fight the various elements of the global war on terror simultaneously, as General Myers will indicate in his remarks.

Our principal goal in the war on terror is to stop another September 11, or a weapon of mass destruction attack that could make September 11 seem modest by comparison, and to do it before it happens. Whether that threat comes from a terrorist regime or a terrorist network is beside the point. Our objective is to stop them.

Another question has been, "What about a smoking gun?" Well, Mr. Chairman, the last thing we want is a smoking gun. A gun smokes after it has been fired, and the goal must be to stop an attack of the type I have described before it happens. As the President told the United Nations last week, the first time we may be absolutely completely certain that a country has nuclear weapons is when, God forbid, they are used. We owe it to our citizens to do everything in our power to prevent that day from coming. If Con-

gress and the world wait for a so-called smoking gun, it's certain that they will have waited too long.

I suggest that anyone who insists on perfect evidence really is thinking back in the 20th century, and they're still thinking pre-September 11. On September 11, we were awakened to the fact that America is now vulnerable to unprecedented destruction. We have not, we will not, and we cannot know everything that is going on in the world. Over the years, despite our best efforts, intelligence has repeatedly underestimated weapons capabilities of a variety of important major countries. We've had numerous gaps of 2, 4, 6, 8, and, in some cases, double-digit years between when a country of real concern to us began a development program and when we finally found out about it that many years later.

We do know that the Iraqi regime has chemical and biological weapons of mass destruction, that they're pursuing nuclear weapons, that they've a proven willingness to use those weapons, and that they've a proven aspiration to seize territory of their neighbors and to threaten their neighbors, that they cooperate with terrorists networks, and that they have a proven record of declared hostility and venomous rhetoric against the United States. Those threats should be clear to all.

The committees of Congress today are currently asking hundreds of question and poring over tens of thousands of documents trying to figure out what happened, why September 11 occurred. Indeed, they're asking who knew what and when did they know it and why didn't somebody prevent that tragedy.

Well, if one were to compare the scraps of information that the Government had before September 11 to the volumes of information the Government has today about Iraq's pursuit of weapons of mass destruction, his use of those weapons, his record of aggression, and his consistent hostility toward the United States, and then factor in our country's demonstrated vulnerability after September 11, the case that the President made in the United Nations, it seems to me, should be clear.

If more time passes, and the attack we're concerned about were to come to pass, I would not want to have ignored all the warning signs and then be required to explain why our country failed to protect our fellow citizens from that threat.

We do know that Saddam Hussein has been actively and persistently pursuing nuclear weapons for more than 20 years, but we should be just as concerned about the immediate threat from biological weapons. Iraq has these weapons. They are much simpler to deliver than nuclear weapons and even more readily transferred to terrorist networks who could allow Iraq to deliver them without Iraq's fingerprints on the attack.

If you want an idea of the devastation Iraq could wreak on our country with a biological attack, consider the recent Dark Winter exercise conducted by Johns Hopkins University. It simulated a biological weapons attack in which terrorists released smallpox in three separate locations in the United States. Within 2 months, the worst-case estimate indicated that 1 million Americans could be dead and another 2 million infected. It's not a pretty picture. Cut it in half. Cut it by three-quarters. It's still a disaster.

Some have argued that Iraq is unlikely to use weapons of mass destruction against us, because, unlike terrorist networks, Saddam Hussein has a return address. Mr. Chairman, there's no reason to have confidence that if Iraq launched a WMD attack against the United States, it would necessarily have a return address. There are ways Iraq could easily conceal responsibility for a WMD attack. They could give biological weapons to a terrorist network to attack us from within. Suicide bombers are not deterrable. They end up dead, and, therefore, the problem of being deterred is not something they worry about.

We still do not know with certainty who was behind the 1996 bombing of Khobar Towers in Saudi Arabia, for example. We don't know who was responsible for last year's anthrax attack. Indeed, our consistent failure over the past two decades to trace terrorist attacks to their ultimate source gives terrorist states the lesson that using terrorist networks is an effective way of attacking the United States with impunity.

Some ask, "Why does he have to be overthrown? Can't we just take out the capabilities that he has to threaten us?" Well, the President has not made a decision. The problem with doing that piecemeal is this. First, we simply do not know where all or even a large portion of Iraq's WMD facilities are. We do know where a fraction of them are. Second, of the facilities that we do know, not all are vulnerable to attack from the air. A good many are underground and deeply buried. Others are purposely located near population centers—schools, hospitals, mosques—where an air strike could kill a large number of innocent people. The Iraq problem cannot be solved by air strikes alone.

Some have asked whether military intervention in Iraq means that the U.S. would have to go to war with every terrorist state that's pursuing WMD. The answer is no. For one thing, preventive action in one situation may very well produce a deterrent effect in other states. After driving the Taliban from power in Afghanistan, we've already seen a change in the behavior of several states. Moreover, dealing with some states may not require military action. Indeed, I think they would not. In some cases, we see states where there is a good deal of unrest within the country. Take Iran, where their women and the young people are putting pressure on the small clique of clerics who are running that country. In my view, it's possible, at some point, that it could flip, just like it flipped from the Shah to the ayatollahs. No one can promise that, but it is at least impressive to see the stirrings that are taking place in that country.

There is a place in this world for inspections, and they tend to be effective if the target nation is actually willing to disarm and they want to prove to the world that they are doing so. They tend not to be as effective in uncovering deceptions and violations when the target is determined not to be disarmed. Iraq's record of the past decade shows that they want weapons of mass destruction and that they are determined to develop them.

Some people have suggested that if the U.S. were to act, it might provoke Saddam Hussein's use of weapons of mass destruction. That's a valuable point. There are ways to mitigate the risk of a chem-bio attack, but they cannot be entirely eliminated. It's true

that there could be that risk in a military action. But if Iraq is that dangerous, then it only makes the case stronger; the longer one waits, the more deadly his capabilities will be every month and every year.

Moreover, consider the consequences if the world were to allow that risk to deter us from acting. We would then have sent a message to the world about the value of weapons of mass destruction that we would deeply regret having sent to other countries.

The message the world should want to send is exactly the opposite, that Iraq's pursuit of WMD has made it not more secure, but less secure, that by pursuing those weapons they have attracted undesired attention to themselves from the world community. Saddam Hussein might not have anything to lose personally, but those other people beneath him in the chain of command would most certainly have a great deal to lose. Wise Iraqis will not obey orders to use weapons of mass destruction.

Some have asked, "Well, what's changed to warrant the action now?" Well, what has changed is our experience on September 11. What's changed is our appreciation of our vulnerability and the risk that the United States faces from terrorist networks and terrorist states armed with weapons of mass destruction. What's not changed is his drive to acquire those weapons and the fact that every single approach that the world community and the United Nations have taken has failed.

Mr. Chairman, as the President has made clear, this is a critical moment for our country and for our world, indeed. Our resolve is being put to the test. It's a test that, unfortunately, the world's free nations have failed before in recent history with terrible consequences. Long before the Second World War, Hitler wrote in *Mein Kampf* indicating what he intended to do, but the hope was that maybe he would not do what he said. Between 35 and 60 million people died because of a series of calculated mistakes. He might have been stopped early at a minimal cost of lives had the vast majority of the world's leaders not decided at the time that the risks of acting were greater than the risks of not acting.

Today we must decide whether the risks of acting are greater than the risks of not acting. Saddam Hussein has made his intentions clear. He has used weapons of mass destruction against his own people and his neighbors. He has stockpiles of chemical and biological weapons, and he is aggressively pursuing nuclear weapons. If he demonstrates the capability to deliver them to our shores, the world would be changed.

We need to decide as a people how we feel about that. Do the risks of taking action to stop that threat outweigh the risks of living in the world as we see it evolving, or is the risk of doing nothing greater than the risk of acting?

The question comes down to this: How will the history of this era be recorded? When we look back on previous periods of our history, we see that there have been many books written about threats and attacks that were not anticipated. *At Dawn We Slept*, *The Untold Story of Pearl Harbor*, *Pearl Harbor*, *Final Judgment*, *Why England Slept*—the list of such books is endless. Unfortunately, in the past year, historians have already started to add to that body of literature, and there are books out on the September 11 attacks



asking why they weren't prevented. Each is an attempt by the authors to connect the dots to determine what happened and why it was not possible to figure out what was going to happen in the future.

Our job today—the President's, Congress, and the United Nations, and, indeed, the free people of the world—is to try to connect the dots before the fact, to try to anticipate vastly more lethal attacks before they happen and to try to make the right decisions as to whether we should take anticipatory self-defense actions or preventive actions before such an attack occurs.

Mr. Chairman, we're on notice, each of us. Each of us has a responsibility to do everything in our power to ensure that when the history of this period is written, the books won't ask why we slept. We must ensure that history will instead record that on September 11 the American people were awakened to the impending dangers and that those entrusted with the safety of the American people made the right decisions and saved our Nation and the world from the 21st century threats.

Mr. Chairman, that concludes my statement. I would like to just say that it's a pleasure to see Senator Thurmond here and to have an opportunity to have him participate. This may very well be my last hearing before you, given your decision to retire. So it's a pleasure to see you, sir.

Thank you.

[The prepared statement of Secretary Rumsfeld follows:]

PREPARED STATEMENT BY HON. DONALD H. RUMSFELD

Mr. Chairman, members of the committee, thank you for the opportunity to meet with you today.

Last week, we commemorated the 1 year anniversary of the most devastating attack our Nation has ever experienced—more than 3,000 innocent people killed in a single day.

Today, I want to discuss the task of preventing even more devastating attacks—attacks that could kill not thousands, but potentially tens of thousands of our fellow citizens.

As we meet, state sponsors of terror across the world are working to develop and acquire weapons of mass destruction. As we speak, chemists, biologists, and nuclear scientists are toiling in weapons labs and underground bunkers, working to give the world's most dangerous dictators weapons of unprecedented power and lethality.

The threat posed by those regimes is real. It is dangerous. It is growing with each passing day. We cannot wish it away.

We have entered a new security environment, one that is dramatically different than the one we grew accustomed to over the past half-century. We have entered a world in which terrorist movements and terrorists states are developing the capacity to cause unprecedented destruction.

Today, our margin of error is notably different. In the 20th century, we were dealing, for the most part, with conventional weapons—weapons that could kill hundreds or thousands of people, generally combatants. In the 21st century, we are dealing with weapons of mass destruction that can kill potentially tens of thousands of people—innocent men, women, and children.

Further, because of the nature of these new threats, we are in an age of little or no warning, when threats can emerge suddenly—at any place or time—to surprise us. Terrorist states have enormous appetite for these powerful weapons—and active programs to develop them. They are finding ways to gain access to these capabilities. This is not a possibility—it is a certainty. In word and deed, they have demonstrated a willingness to use those capabilities.

Moreover, after September 11, they have discovered a new means of delivering these weapons—terrorist networks. To the extent that they might transfer WMD to terrorist groups, they could conceal their responsibility for attacks. If they believe they can conceal their responsibility for an attack, then they would likely not be deterred.

We are on notice; let there be no doubt that an attack will be attempted. The only question is when and by what technique. It could be months, a year, or several years. But it will happen. It is in our future. Each of us needs to pause and think about that for a moment—about what it would mean for our country, for our families—and indeed for the world.

If the worst were to happen, not one of us here today will be able to honestly say it was a surprise. Because it will not be a surprise. We have connected the dots as much as it is humanly possible—before the fact. Only by waiting until after the event could we have proof positive. The dots are there for all to see. The dots are there for all to connect. If they aren't good enough, rest assured they will only be good enough after another disaster—a disaster of still greater proportions. By then it will be too late.

The question facing us is this: what is the responsible course of action for our country? Do you believe it is our responsibility to wait for a nuclear, chemical or biological September 11? Or is it the responsibility of free people to do something now—to take steps to deal with the threat *before* we are attacked?

The President has made his position clear: the one thing that is not an option is doing nothing.

There are a number of terrorist states pursuing weapons of mass destruction—Iran, Libya, North Korea, Syria, to name but a few. But no terrorist state poses a greater and more immediate threat to the security of our people, and the stability of the world, than the regime of Saddam Hussein in Iraq.

No living dictator has shown the murderous combination of intent and capability—of aggression against his neighbors; oppression of his own people; genocide; support of terrorism; pursuit of weapons of mass destruction; the use of weapons of mass destruction; and the most threatening, hostility to its neighbors and to the United States—than Saddam Hussein and his regime.

Mr. Chairman, these facts about Saddam Hussein's regime should be part of this record and of our country's considerations:

- Saddam Hussein has openly praised the attacks of September 11.
  - Last week, on the anniversary of September 11, his state-run press called the attacks "God's punishment."
  - He has repeatedly threatened the U.S. and its allies with terror—once declaring that "every Iraqi (can) become a missile."
- He has ordered the use of chemical weapons—Sarin, Tabun, VX, and mustard agents—against his own people, in one case killing 5,000 innocent civilians in a single day.
- His regime has invaded two of its neighbors, and threatened others.
  - In 1980, they invaded Iran, and used chemical weapons against Iranian forces.
  - In 1990, they invaded Kuwait and are responsible for thousands of documented cases of torture, rape and murder of Kuwaiti civilians during their occupation.
  - In 1991, they were poised to march on and occupy other nations—and would have done so, had they not been stopped by the U.S. led coalition forces.
- His regime has launched ballistic missiles at four of their neighbors—Israel, Iran, Saudi Arabia and Bahrain.
- His regime plays host to terrorist networks and has directly ordered acts of terror on foreign soil.
- His regime assassinates its opponents, both in Iraq and abroad, and has attempted to assassinate the former Israeli Ambassador to Great Britain, and a former U.S. President.
- He has executed members of their cabinet, including the Minister of Health, whom he personally shot and killed.
- His regime has committed genocide and ethnic cleansing in Northern Iraq, ordering the extermination of between 50,000 and 100,000 people and the destruction of over 4,000 villages.
- His attacks on the Kurds drove 2 million refugees into Turkey, Syria and Iran.
- His regime has brought the Marsh Arabs in Southern Iraq to the point of extinction, drying up the Iraqi marsh lands in order to move against their villages—one of the worst environmental crimes ever committed.
- His regime is responsible for catastrophic environmental damage, setting fire to over 1,100 Kuwaiti oil wells.
- His regime beat and tortured American POWs during the 1991 Persian Gulf War, and used them as "human shields."

- His regime has still failed to account for hundreds of POWs, including Kuwaiti, Saudi, Indian, Syrian, Lebanese, Iranian, Egyptian, Bahraini and Omani nationals—and an American pilot shot down over Iraq during the Gulf War.
- His regime on almost a daily basis continues to fire missiles and artillery at U.S. and coalition aircraft patrolling the no-fly zones in Northern and Southern Iraq, and has made clear its objective of shooting down coalition pilots enforcing U.N. resolutions—it is the only place in the world where U.S. forces are shot at with impunity.
- His regime has subjected tens of thousands of political prisoners and ordinary Iraqis to arbitrary arrest and imprisonment, summary execution, torture, beatings, burnings, electric shocks, starvation and mutilation.
- He has ordered doctors to surgically remove the ears of military deserters, and the gang rape of Iraqi women, including political prisoners, the wives and daughters of their opposition and members of the regime suspected of disloyalty.
- His regime is actively pursuing weapons of mass destruction, and willing to pay a high price to get them—giving up tens of billions in oil revenue under economic sanctions by refusing inspections to preserve his WMD programs.
- His regime has amassed large, clandestine stockpiles of biological weapons—including anthrax and botulism toxin, and possibly smallpox.
- His regime has amassed large, clandestine stockpiles of chemical weapons—including VX, sarin, cyclosarin, and mustard gas.
- His regime has an active program to acquire and develop nuclear weapons.
  - They have the knowledge of how to produce nuclear weapons, and designs for at least two different nuclear devices.
  - They have a team of scientists, technicians and engineers in place, as well as the infrastructure needed to build a weapon.
  - Very likely all they need to complete a weapon is fissile material—and they are, at this moment, seeking that material—both from foreign sources and the capability to produce it indigenously.
- His regime has dozens of ballistic missiles, and is working to extend their range in violation of U.N. restrictions.
- His regime is pursuing pilotless aircraft as a means of delivering chemical and biological weapons.
- His regime agreed after the Gulf War to give up weapons of mass destruction and submit to international inspections—then lied, cheated and hid their WMD programs for more than a decade.
- His regime has in place an elaborate, organized system of denial and deception to frustrate both inspectors and outside intelligence efforts.
- His regime has violated U.N. economic sanctions, using illicit oil revenues to fuel their WMD aspirations.
- His regime has diverted funds from the U.N.'s "oil for food" program—funds intended to help feed starving Iraqi civilians—to fund WMD programs.
- His regime violated 16 U.N. resolutions, repeatedly defying the will of the international community without cost or consequence.
- His regime is determined to acquire the means to strike the U.S., its friends and allies with weapons of mass destruction, acquire the territory of their neighbors, and impose their control over the Persian Gulf region.

As the President warned the United Nations last week, "Saddam Hussein's regime is a grave and gathering danger." It is a danger to its neighbors, to the United States, to the Middle East, and to international peace and stability. It is a danger we do not have the option to ignore.

The world has acquiesced in Saddam Hussein's aggression, abuses and defiance for more than a decade.

In his U.N. address, the President explained why we should not allow the Iraqi regime to acquire weapons of mass destruction and issued a challenge to the international community: to enforce the numerous resolutions the U.N. has passed and Saddam Hussein has defied; to show that Security Council's decisions will not be cast aside without cost or consequence; to show that the U.N. is up to the challenge of dealing with a dictator like Saddam Hussein; and to show that the U.N. is determined not to become irrelevant.

President Bush has made clear that the United States wants to work with the U.N. Security Council to deal with the threat posed by the Iraqi regime. But he made clear the consequences of Iraq's continued defiance: "The purposes of the United States should not be doubted. The Security Council resolutions will be enforced . . . or action will be unavoidable. A regime that has lost its legitimacy will also lose its power."

The President has asked the Members of the House and the Senate to support the actions that may be necessary to deliver on that pledge. He urged that Congress act before the congressional recess. He asked that you send a clear signal—to the world community and the Iraqi regime—that our country is united in purpose and ready to act. Only certainty of U.S. and U.N. purposefulness can have even the prospect of affecting the Iraqi regime.

It is important that Congress send that message as soon as possible—before the U.N. Security Council votes. The Security Council must act soon, and it is important that the U.S. Congress signal the world where the U.S. stands before the U.N. vote takes place. Delaying a vote in Congress would send a message that the U.S. may be unprepared to take a stand, just as we are asking the international community to take a stand, and as Iraq will be considering its options.

Delay would signal the Iraqi regime that they can continue their violations of the U.N. resolutions. It serves no U.S. or U.N. purpose to give Saddam Hussein excuses for further delay. His regime should recognize that the U.S. and the U.N. are purposeful.

It was Congress that changed the objective of U.S. policy from containment to regime change by the passage of the Iraq Liberation Act in 1998. The President is now asking Congress to support that policy.

A decision to use military force is never easy. No one with any sense considers war a first choice—it is the last thing that any rational person wants to do. It is important that the issues surrounding this decision be discussed and debated.

In recent weeks, a number of questions have been surfaced by Senators, Members of Congress, and former Government officials. Some of the arguments raised are important. Just as there are risks in acting, so too there are risks in not acting.

Those risks need to be balanced; to do so, it is critical to address a number of the issues that have been raised:

*Some have asked whether an attack on Iraq would disrupt and distract the U.S. from the global war on terror.*

The answer to that is: Iraq is a part of the global war on terror—stopping terrorist regimes from acquiring weapons of mass destruction is a key objective of that war. We can fight all elements of this war simultaneously.

Our principal goal in the war on terror is to stop another September 11—or a WMD attack that could make September 11 seem modest by comparison—before it happens. Whether that threat comes from a terrorist regime or a terrorist network is beside the point. Our objective is to stop them, regardless of the source.

In his State of the Union address last January, President Bush made our objectives clear. He said: “by seeking weapons of mass destruction, these regimes pose a grave and growing danger. They could provide these arms to terrorists, giving them the means to match their hatred. They could attack our allies or attempt to blackmail the United States. In any of these cases the price of indifference would be catastrophic.” Ultimately, history will judge us all by what we do now to deal with this danger.

*Another question that has been asked is this: The administration argues Saddam Hussein poses a grave and growing danger. Where is the “smoking gun?”*

Mr. Chairman, the last thing we want is a smoking gun. A gun smokes after it has been fired. The goal must be to stop Saddam Hussein before he fires a weapon of mass destruction against our people. As the President told the United Nations last week, “The first time we may be completely certain he has nuclear weapons is when, God forbid, he uses one. We owe it to . . . our citizens to do everything in our power to prevent that day from coming.” If Congress or the world waits for a so-called “smoking gun,” it is certain that we will have waited too long.

But the question raises an issue that it is useful to discuss—about the kind of evidence we consider to be appropriate to act in the 21st century.

In our country, it has been customary to seek evidence that would prove guilt “beyond a reasonable doubt” in a court of law. That approach is appropriate when the objective is to protect the rights of the accused. But in the age of WMD, the objective is not to protect the “rights” of dictators like Saddam Hussein—it is to protect the lives of our citizens. When there is that risk, and we are trying to defend against the closed societies and shadowy networks that threaten us in the 21st century, expecting to find that standard of evidence, from thousands of miles away, and to do so before such a weapon has been used, is not realistic. After such weapons have been used it is too late.

I suggest that any who insist on perfect evidence are back in the 20th century and still thinking in pre-September 11 terms. On September 11, we were awakened to the fact that America is now vulnerable to unprecedented destruction. That

awareness ought to be sufficient to change the way we think about our security, how we defend our country—and the type of certainty and evidence we consider appropriate.

In the 20th century, when we were dealing largely with conventional weapons, we could wait for perfect evidence. If we miscalculated, we could absorb an attack, recover, take a breath, mobilize, and go out and defeat our attackers. In the 21st century, that is no longer the case, unless we are willing and comfortable accepting the loss not of thousands of lives, but potentially tens of thousands of lives—a high price indeed.

We have not, will not, and cannot know everything that is going on in the world. Over the years, even our best efforts, intelligence has repeatedly underestimated the weapons capabilities of a variety of countries of major concern to us. We have had numerous gaps of 2, 4, 6, or 8 years between the time a country of concern first developed a WMD capability and the time we finally learned about it.

We do know: that the Iraqi regime has chemical and biological weapons of mass destruction and is pursuing nuclear weapons; that they have a proven willingness to use the weapons at their disposal; that they have proven aspirations to seize the territory of, and threaten, their neighbors; that they have proven support for and cooperation with terrorist networks; and that they have proven record of declared hostility and venomous rhetoric against the United States. Those threats should be clear to all.

In his U.N. address, the President said “we know that Saddam Hussein pursued weapons of mass murder even when inspectors were in his country. Are we to assume that he stopped when they left?” To the contrary, knowing what we know about Iraq’s history, no conclusion is possible except that they have and are accelerating their WMD programs.

Now, do we have perfect evidence that can tell us precisely the date Iraq will have a deliverable nuclear device, or when and where he might try to use it? That is not knowable. But it is strange that some seem to want to put the burden of proof on us—the burden of proof ought to be on *him*—to prove he has disarmed; to prove he no longer poses a threat to peace and security. That he cannot do.

Committees of Congress currently are asking hundreds of questions about what happened on September 11—pouring over thousands of pages of documents, and asking who knew what, when, and why they didn’t prevent that tragedy. I suspect, that in retrospect, most of those investigating September 11 would have supported preventive action to pre-empt that threat, if it had been possible to see it coming.

Well, if one were to compare the scraps of information the government had before September 11, to the *volumes* of information the government has today about Iraq’s pursuit of WMD, his use of those weapons, his record of aggression and his consistent hostility toward the United States—and then factor in our country’s demonstrated vulnerability after September 11—the case the President made should be clear.

As the President said, time is not on our side. If more time passes, and the attacks we are concerned about come to pass, I would not want to have ignored all the warning signs and then be required to explain why our country failed to protect our fellow citizens.

We cannot go back in time to stop the September 11 attack. But we can take actions now to prevent some future threats.

*Some have argued that the nuclear threat from Iraq is not imminent—that Saddam is at least 5–7 years away from having nuclear weapons.*

I would not be so certain. Before Operation Desert Storm in 1991, the best intelligence estimates were that Iraq was at least 5–7 years away from having nuclear weapons. The experts were flat wrong. When the U.S. got on the ground, it found the Iraqis were probably 6 months to a year away from having a nuclear weapon—not 5 to 7 years.

We do not know today precisely how close he is to having a deliverable nuclear weapon. What we do know is that he has a sizable appetite for them, that he has been actively and persistently pursuing them for more than 20 years, and that we allow him to get them at our peril. Moreover, let’s say he is 5–7 years from a deliverable nuclear weapon. That raises the question: 5–7 years from when? From today? From 1998, when he kicked out the inspectors? Or from earlier, when inspectors were still in country? There is no way of knowing except from the ground, unless one believes what Saddam Hussein says.

But those who raise questions about the nuclear threat need to focus on the immediate threat from biological weapons. From 1991 to 1995, Iraq repeatedly insisted it did not have biological weapons. Then, in 1995, Saddam’s son-in-law defected and told the inspectors some of the details of Iraq’s biological weapons program. Only

then did Iraq admit it had produced tens of thousands of liters of anthrax and other biological weapons. But even then, they did not come clean. U.N. inspectors believe Iraq had in fact produced two to four-times the amount of biological agents it had declared. Those biological agents were never found. Iraq also refused to account for some three tons of materials that could be used to produce biological weapons.

Iraq has these weapons. They are much simpler to deliver than nuclear weapons, and even more readily transferred to terrorist networks, who could allow Iraq to deliver them without fingerprints.

If you want an idea of the devastation Iraq could wreak on our country with a biological attack, consider the recent "Dark Winter" exercise conducted by Johns Hopkins University. It simulated a biological WMD attack in which terrorists released smallpox in three separate locations in the U.S. Within 22 days, it is estimated it would have spread to 26 states, with an estimated 6000 new infections occurring daily. Within 2 months, the worst-case estimate indicated 1 million people could be dead and another 2 million infected. Not a nice picture.

The point is this: we know Iraq possesses biological weapons, and chemical weapons, and is expanding and improving their capabilities to produce them. That should be of every bit as much concern as Iraq's potential nuclear capability.

*Some have argued that even if Iraq has these weapons, Saddam Hussein does not intend to use WMD against the U.S. because he is a survivor, not a suicide bomber—that he would be unlikely to take actions that could lead to his own destruction.*

Then why is Iraq pursuing WMD so aggressively? Why are they willing to pay such a high price for them—to suffer a decade of economic sanctions that have cost them tens of billions in oil revenues—sanctions they could get lifted simply by an agreement to disarm?

One answer is that, as some critics have conceded, "he seeks weapons of mass destruction . . . to deter us from intervening to block his aggressive designs." This is no doubt a motivation. But consider the consequences if they were allowed to succeed.

Imagine for a moment that Iraq demonstrated the capacity to attack U.S. or European population centers with nuclear, chemical or biological weapons. Then imagine you are the President of the United States, trying to put together an international coalition to stop their aggression, after Iraq had demonstrated that capability. It would be a daunting task. His regime believes that simply by possessing the capacity to deliver WMD to Western capitals, he will be able to prevent—terrorize—the free world from projecting force to stop his aggression—driving the West into a policy of forced isolationism.

That said, it is far from clear that he would not necessarily restrain from taking actions that could result in his destruction. For example, that logic did not stop the Taliban from supporting and harboring al Qaeda as they planned and executed repeated attacks on the U.S. Their miscalculation resulted in the destruction of their regime. Regimes without checks and balances are prone to grave miscalculations. Saddam Hussein has no checks whatsoever on his decision-making authority. Who among us really believes it would be wise or prudent for us to base our security on the hope that Saddam Hussein, or his sons who might succeed him, could not make the same fatal miscalculations as Mullah Omar and the Taliban?

It is my view that we would be ill advised to stake our people's lives on Saddam Hussein's supposed "survival instinct."

*Some have argued Iraq is unlikely to use WMD against us because, unlike terrorist networks, Saddam has a "return address."*

Mr. Chairman, there is no reason for confidence that if Iraq launched a WMD attack on the U.S., it would necessarily have an obvious "return address." There are ways Iraq could easily conceal responsibility for a WMD attack. They could deploy "sleeper cells" armed with biological weapons to attack us from within—and then deny any knowledge or connection to the attacks. Or they could put a WMD-tipped missile on a "commercial" shipping vessel, sail it within range of our coast, fire it, and then melt back into the commercial shipping traffic before we knew what hit us. Finding that ship would be like searching for a needle in a haystack—a bit like locating a single terrorist. Or they could recruit and utilize a terrorist network with similar views and objectives, and pass on weapons of mass destruction to them. It is this nexus between a terrorist state like Iraq with WMD and terrorist networks that has so significantly changed the U.S. security environment.

We still do not know with certainty who was behind the 1996 bombing of the Khobar Towers in Saudi Arabia—an attack that killed 19 American service members. We still do not know who is responsible for last year's anthrax attacks. The

nature of terrorist attacks is that it is often very difficult to identify who is ultimately responsible. Indeed, our consistent failure over the past 2 decades to trace terrorist attacks to their ultimate source gives terrorist states the lesson that using terrorist networks as proxies is an effective way of attacking the U.S. with impunity.

*Some have opined there is scant evidence of Iraq's ties to terrorists, and he has little incentive to make common cause with them.*

That is not correct. Iraq's ties to terrorist networks are long-standing. It is no coincidence that Abu Nidal was in Baghdad when he died under mysterious circumstances. Iraq has also reportedly provided safe haven to Abdul Rahman Yasin, one of the FBI's most wanted terrorists, who was a key participant in the first World Trade Center bombing. We know that al Qaeda is operating in Iraq today, and that little happens in Iraq without the knowledge of the Saddam Hussein regime. We also know that there have been a number of contacts between Iraq and al Qaeda over the years. We know Saddam has ordered acts of terror himself, including the attempted assassination of a former U.S. President.

He has incentives to make common cause with terrorists. He shares many common objectives with groups like al Qaeda, including an antipathy for the Saudi royal family and a desire to drive the U.S. out of the Persian Gulf region. Moreover, if he decided it was in his interest to conceal his responsibility for an attack on the U.S., providing WMD to terrorists would be an effective way of doing so.

*Some have said that they would support action to remove Saddam if the U.S. could prove a connection to the attacks of September 11—but there is no such proof.*

The question implies that the U.S. should have to prove that Iraq has *already* attacked us in order to deal with that threat. The objective is to stop him before he attacks us and kills thousands of our citizens.

The case against Iraq does not depend on an Iraqi link to September 11. The issue for the U.S. is not vengeance, retribution or retaliation—it is whether the Iraqi regime poses a growing danger to the safety and security of our people, and of the world. There is no question but that it does.

*Some argue that North Korea and Iran are more immediate threats than Iraq. North Korea almost certainly has nuclear weapons, and is developing missiles that will be able to reach most of the continental United States. Iran has stockpiles of chemical weapons, is developing ballistic missiles of increasing range, and is aggressively pursuing nuclear weapons. The question is asked: why not deal with them first?*

Iran and North Korea are indeed threats—problems we take seriously. That is why President Bush named them specifically, when he spoke about an “Axis of Evil.” We have policies to address both.

But Iraq is unique. No other living dictator matches Saddam Hussein's record of: waging aggressive war against his neighbors; pursuing weapons of mass destruction; using WMD against his own people and other nations; launching ballistic missiles at his neighbors; brutalizing and torturing his own citizens; harboring terrorist networks; engaging in terrorist acts, including the attempted assassination of foreign officials; violating his international commitments; lying, cheating and hiding his WMD programs; deceiving and defying the express will of the United Nations over and over again.

As the President told the U.N., “in one place—in one regime—we find all these dangers in their most lethal and aggressive forms.”

*Some respond by saying, OK, Iraq poses a threat we will eventually have to deal with—but now is not the time to do so.*

To that, I would ask: when? Will it be a better time when his regime is stronger? When its WMD programs are still further advanced? After he further builds his forces, which are stronger and deadlier with each passing day? Yes, there are risks in acting. The President understands those risks. But there are also risks in further delay. As the President has said: “I will not wait on events, while dangers gather. I will not stand by as peril draws closer and closer. The United States of America will not permit the world's most dangerous regimes to threaten us with the world's most destructive weapons.”

*Others say that overthrowing the regime should be the last step, not the first.*

I would respond that for more than a decade now, the international community has tried every other step. They have tried diplomacy; they have tried sanctions and embargoes; they have tried positive inducements, such as the “oil for food” program;

they have tried inspections; they have tried limited military strikes. Together, all these approaches have failed to accomplish the U.N. goals.

If the President were to decide to take military action to overthrow the regime, it would be not the first step, it would be the last step, after a decade of failed diplomatic and economic steps to stop his drive for WMD.

*Some have asked: why not just contain him? The West lived for 40 years with the Soviet threat, and never felt the need to take pre-emptive action. If containment worked on the Soviet Union, why not Iraq?*

First, it's clear from the Iraqi regime's 11 years of defiance that containment has not led to their compliance. To the contrary, containment is breaking down—the regime continues to receive funds from illegal oil sales and procure military hardware necessary to develop weapons of mass murder. So not only has containment failed to reduce the threat, it has allowed the threat to grow.

Second, with the Soviet Union we faced an adversary that already possessed nuclear weapons—thousands of them. Our goal with Iraq is to *prevent* them from getting nuclear weapons. We are not interested in establishing a balance of terror with the likes of Iraq, like the one that existed with the Soviet Union. We are interested in stopping a balance of terror from forming.

Third, with the Soviet Union, we believed that time was on our side—and we were correct. With Iraq, the opposite is true—time is not on our side. Every month that goes by, his WMD programs are progressing and he moves closer to his goal of possessing the capability to strike our population, and our allies, and hold them hostage to blackmail.

Finally, while containment worked in the long run, the Soviet Union's nuclear arsenal prevented the West from responding when they invaded their neighbor, Afghanistan. Does anyone really want Saddam to have that same deterrent, so he can invade his neighbors with impunity?

*Some ask: Why does he have to be overthrown? Can't we just take out the capabilities he has that threaten us?*

While the President has not made that decision, the problem with doing it piecemeal is this: First, we do not know where all of Iraq's WMD facilities are. We do know where a fraction of them are. Second, of the facilities we do know, not all are vulnerable to attack from the air. Some are underground. Some are mobile. Others are purposely located near population centers—schools, mosques, hospitals, etc.—where an air strike could kill large numbers of innocent people. The Iraq problem cannot be solved with air strikes alone.

*Some have argued that, if we do have to go to war, the U.S. should first layout details of a truly comprehensive inspections regime, which, if Iraq failed to comply, would provide a casus belli.*

I would respond this way: if failure to comply with WMD inspections is a *casus belli*, the U.N. already has it—Iraq's non-compliance with U.N. inspection regimes has been going on for more than a decade. What else can one ask for?

The U.S. is not closed to inspections as an element of an effective response. But the goal is not inspections—it is disarmament. Any inspections would have to be notably different from the past. Given the history of this regime, the world community has every right to be skeptical that it would be. That is why, in 1998, the U.S. began to speak of regime change.

Our goal is disarmament. The only purpose of any inspections would be to prove that Iraq has disarmed, which would require Iraq to reverse its decades-long policy of pursuing these weapons. Something they are unlikely to do.

There are serious concerns about whether an inspections regime could be effective. Even the most intrusive inspection regime would have difficulty getting at all his weapons of mass destruction. Many of his WMD capabilities are mobile and can be hidden to evade inspectors. He has vast underground networks and facilities to hide WMD, and sophisticated denial and deception techniques. It is simply impossible to “spot check” a country the size of Iraq. Unless we have people inside the Iraqi program who are willing to tell us what they have and where they have it—as we did in 1995 with the defection of Saddam's son in law, Hussein Kamel—it is easy for the Iraqi regime to hide its capabilities from us.

Indeed, Hans Blix, the chief U.N. Weapons inspector, said as much in an interview with the *New York Times* last week. According to the *Times*, “[Mr. Blix] acknowledged that there were some limitations to what his team could accomplish even if it was allowed to return. Mr. Blix said his inspectors might not be able to detect mobile laboratories for producing biological weapons materials, or underground storehouses for weapons substances, if the inspectors did not have informa-



tion about such sites from the last time they were in Iraq or have not seen traces of them in satellite surveillance photography.”

When UNSCOM inspectors were on the ground, they did an admirable job of uncovering many of Iraq’s violations—which is undoubtedly why Iraq had them expelled. But despite the U.N.’s best efforts, from 1991–1995 Saddam was able to conceal some of his nuclear program and his biological weapons program. Some aspects were uncovered after his son-in-law defected and provided information that allowed inspectors to find them. Even then, Iraq was able to hide many of those activities from inspectors—capabilities he most likely still has today, in addition to what he has developed in recent years.

There is a place in this world for inspections. They tend to be effective if the target nation is cooperating—if they are actually willing to disarm and want to prove to the world that they are doing so. They tend not to be as effective in uncovering deceptions and violations when the target is determined not to disarm. Iraq’s record of the past decade shows the regime is not interested in disarming or cooperating. Their behavior demonstrates they want weapons of mass destruction and are determined to continue developing them.

*Some ask: now that Iraq has agreed to “unconditional inspections,” why does Congress need to act?*

Iraq has demonstrated great skill at playing the international community. When it’s the right moment to lean forward, they lean forward. When it’s a time to lean back, they lean back. It’s a dance. They can go on for months or years jerking the U.N. around. When they find that things are not going their way, they throw out a proposal like this. Hopeful people say: “There’s our opportunity. They are finally being reasonable. Seize the moment. Let’s give them another chance.” Then we repeatedly find, at the last moment, that Iraq withdraws that carrot and goes back into their mode of rejecting the international community. The dance starts all over again.

The issue is not inspections. The issue is disarmament. The issue is compliance. As the President made clear in his U.N. address, we require Iraq’s compliance with *all 16 U.N. resolutions* that they have defied over the past decade. As the President said, the U.N. Security Council—not the Iraqi regime—needs to decide how to enforce its own resolutions. Congress’s support for the President is what is needed to further generate international support.

*Some have asked whether military intervention in Iraq means the U.S. would have to go to war with every terrorist state that is pursuing WMD?*

The answer is: no. Taking military action in Iraq does not mean that it would be necessary or appropriate to take military action against other states that possess or are pursuing WMD. For one thing, preventive action in one situation may very well produce a deterrent effect on other states. After driving the Taliban from power in Afghanistan, we have already seen a change in behavior in certain regimes.

Moreover, dealing with some states may not require military action. In some cases, such as Iran, change could conceivably come from within. The young people and the women in Iran are increasingly fed up with the tight clique of Mullahs—they want change, and may well rise up to change their leadership at some point.

*Some say that there is no international consensus behind ousting Saddam—and most of our key allies are opposed.*

First, the fact is that there are a number of countries that want Saddam Hussein gone. Some are reluctant to say publicly just yet. But, if the U.S. waited for a consensus before acting, we would never do anything. Obviously, one’s first choice in life is to have everyone agree with you at the outset. In reality, that is seldom the case. It takes time, leadership and persuasion. Leadership is about deciding what is right, and then going out and persuading others.

The coalition we have fashioned in the global war on terror today includes some 90 nations—literally half the world. It is the greatest coalition ever assembled in the annals of human history. It was not there on September 11. It was built, one country at a time, over a long period of time. If we had waited for consensus, the Taliban would still be in power in Afghanistan today. The worldwide coalition was formed by leadership.

During the Persian Gulf War, the coalition eventually included 36 nations. But they were not there on August 2, 1990, when Saddam invaded Kuwait. They were not there on August 5, when the President George H.W. Bush announced to the world that Saddam’s aggression “will not stand.” That coalition was built over a period of many months.

With his U.N. speech, President George W. Bush began the process of building international support for dealing with Iraq. The reaction has been positive. We will

continue to state our case, as the President is doing, and I suspect that as he does so, you will find that other countries in increasing numbers will cooperate and participate. Will it be unanimous? No. Does anyone expect it to be unanimous? No. Does it matter that it will not be unanimous? No. But does the U.S. want all the support possible—you bet. Just as we have in the coalition supporting the global war on terrorism.

The point is: if our Nation's leaders do the right thing, others will follow and support the just cause—just they have in the global war against terror.

*Some say that our European allies may reluctantly go along in the end, but that U.S. intervention in Iraq would spark concern in the Arab world—that not one country in that region supports us, and many are vocally opposed.*

That is not so. Saddam's neighbors are deathly afraid of him—and understandably so. He has invaded his neighbors, used weapons of mass destruction against them, and launched ballistic missiles at them. He aspires to dominate the region. The nations of the region would be greatly relieved to have him gone, and that if Saddam Hussein is removed from power, the reaction in the region will be not outrage, but great relief. The reaction of the Iraqi people will most certainly be jubilation.

*Some ask, but will they help us? Will they give us access to bases and territory and airspace we need to conduct a military operation?*

The answer is that the President has not decided to take military action, but, if he does, we will have all the support we need to get the job done. You can be certain of it.

*Another argument is that military action in Iraq will be expensive, and will have high costs for the global economy.*

That may be true. But there are also dollar costs to not acting—and those costs could well be far greater. Consider: the New York City Comptroller estimates that the economic costs of the September 11 attacks to New York alone were between \$83 and \$95 billion. He further estimated that New York lost 83,000 existing jobs and some 63,000 jobs the city estimates would have been created had the attacks not happened. One institute puts the cost to the national economy at \$191 billion—including 1.64 million jobs lost as a direct result of the September 11 attacks. Other estimates are higher—as much as \$250 billion in lost productivity, sales, jobs, advertising, airline revenue and the like. That is not to mention the cost in human lives, and the suffering of those who lost fathers and mothers, sons and daughters, sisters and brothers that day.

We must not forget that the costs of a nuclear, chemical, or biological weapons attack would be far worse. The price in lives would be not thousands, but tens of thousands. The economic costs could make September 11 pale by comparison. Those are the costs that also must be weighed carefully. This is not mention the cost to one's conscience of being wrong.

*Some have suggested that if the U.S. were to act it might provoke Saddam Hussein's use of WMD. Last time, the argument goes, he didn't use chemical weapons on U.S. troops and allies because he saw our goal was not to oust him, but to push back his aggression. This time, the argument goes, the opposite would be true, and he would have nothing to lose by using WMD.*

That is an important point. The President made clear on March 13, 2002 the consequences of such an attack. He said: "We've got all options on the table because we want to make it very clear to nations that you will not threaten the United States or use weapons of mass destruction against us, our allies, or our friends."

There are ways to mitigate the risk of a chem-bio attack, but it cannot be entirely eliminated—it is true that could be a risk of military action. But consider the consequences if the world were to allow that risk to deter us from acting. We would then have sent a message to the world about the value of weapons of mass destruction that we would deeply regret having sent. A country thinking about acquiring WMD would conclude that the U.S. had been deterred by Iraq's chemical and biological weapons capabilities, and they could then resolve to pursue those weapons to assure their impunity. The message the world should want to send is the exact opposite. The message should be that Iraq's pursuit of WMD has not only not made it more secure, it has made it less secure—that by pursuing those weapons, they have attracted undesired attention to themselves.

But if he is that dangerous, then that only makes the case for action stronger—because the longer we wait, the more deadly his regime becomes. If the world community were to be deterred from acting today by the threat that Iraq might use chemical or biological weapons, how will the U.N. feel when one day, Iraq dem-

onstrates it has a deliverable *nuclear* weapon? The risks will only grow worse. If we are deterred today, we could be deterred forever—and Iraq will have achieved its objective. Will the world community be deterred until Iraq uses a weapon of mass destruction? Only then decide it is time to act.

But I would suggest that even if Saddam Hussein were to issue an order for the use chemical or biological weapons, that does not mean his orders would necessarily be carried out. Saddam Hussein might not have anything to lose, but those beneath him in the chain of command most certainly would have a great deal to lose—let there be no doubt. He has maintained power by instilling fear in his subordinates. If he is on the verge of losing power, he may also lose his ability to impose that fear—and, thus, the blind obedience of those around him. Wise Iraqis will not obey orders to use WMD.

If President Bush were to decide to take military action, the U.S. will execute his order and finish the job professionally—Saddam Hussein and his regime would be removed from power. Therefore, with that certain knowledge, those in the Iraqi military will need to think hard about whether it would be in their interest to follow his instructions to commit war crimes by using WMD—and then pay a severe price for that action. The United States will make clear at the outset that those who are not guilty of atrocities can play a role in the new Iraq. But if WMD is used all bets are off.

I believe many in the Iraqi Armed Forces despise Saddam Hussein, and want to see him go as much as the rest of the world does. Those who may not despise him, but decide they would prefer to survive, may desert and try to blend into the civilian population or escape the country. This is what happened in Panama, when it became clear that Noriega was certain to be on his way out.

*Some say that Saddam might succeed in provoking an Israeli response this time—possibly a nuclear response—and that this would set the Middle East aflame.*

We are concerned about the Iraqi regime attacking a number of its neighbors, and with good reason: Saddam Hussein has a history of doing so. Iraq has attacked Bahrain, Iran, Israel, Jordan, Kuwait, and Saudi Arabia. Iraq is a threat to its neighbors. We will consult with all of our allies and friends in the region on how to deal with this threat.

But the fact that they have blackmailed their neighbors makes the case for action stronger. If we do nothing, that blackmail will eventually become blackmail with weapons of mass destruction—with significantly new consequences for the world.

*Some have said the U.S. could get bogged down in a long-term military occupation, and want to know what the plan is for a post-Saddam Iraq?*

That is a fair question. It is likely that international forces would have to be in Iraq for a period of time, to help a new transitional Iraqi government get on its feet and create conditions where the Iraqi people would be able to choose a new government and achieve self-determination. But that burden is a small one, when balanced against the risks of not acting.

In Afghanistan, our approach was that Afghanistan belongs to the Afghans—we did not and do not aspire to own it or run it. The same would be true of Iraq.

In Afghanistan, the U.S. and coalition countries helped create conditions so that the Afghan people could exercise their right of self-government. Throughout the Bonn process and the Loya Jirga process, a new president was chosen, a new cabinet sworn in, and a transitional government, representative of the Afghan people, was established to lead the nation.

If the President were to make the decision to liberate Iraq, with coalition partners, it would help the Iraqi people establish a government that would be a single country, that did not threaten its neighbors, the United States, or the world with aggression and weapons of mass destruction, and that would respect the rights of its diverse population.

Iraq has an educated population that has been brutally and viciously repressed by Saddam Hussein's regime. He has kept power not by building loyalty, but by instilling fear—in his people, his military and the government bureaucracy. I suspect that there would be substantial defections once it became clear that Saddam Hussein was finished. Moreover, there are numerous free Iraqi leaders—both inside Iraq and abroad—who would play a role in establishing that new free Iraqi government. So there is no shortage of talent available to lead and rehabilitate a free Iraq.

In terms of economic rehabilitation, Iraq has an advantage over Afghanistan. A free Iraq would be less dependent on international assistance, and could conceivably get back on its feet faster, because Iraq has a marketable commodity—oil.

*Some have raised concerns that other countries elsewhere in the world might take advantage of the fact that the U.S. is tied up in Iraq, and use that as an opportunity to invade neighbors or cause other mischief.*

There is certainly a risk that some countries might underestimate our capability to handle Iraq and stop their aggression at the same time. But let there be no doubt: we have that capability.

Last year, we fashioned a new defense strategy, which established that we will and do have the capability to near simultaneously:

- Defend the U.S. homeland;
- Undertake a major regional conflict and win decisively—including occupying a country and changing their regime;
- If necessary, swiftly defeat another aggressor in another theater; and
- Simultaneously conduct a number of lesser contingencies—such as Bosnia, Kosovo, and Afghanistan.

The United States can do the above, if called upon to do so.

*Another argument is that acting without provocation by Iraq would violate international law.*

That is untrue. The right to self-defense is a part of the U.N. Charter. Customary international law has long provided for the right of anticipatory self-defense—to stop an attack before it happens. In addition, he is in violation of multiple U.N. Security Council resolutions. Those concerned about the integrity of international law should focus on their attention his brazen defiance of the U.N.

*Some ask: What has changed to warrant action now?*

What has changed is our experience on September 11. What has changed is our appreciation of our vulnerability—and the risks the U.S. faces from terrorist networks and terrorist states armed with weapons of mass destruction.

What has *not* changed is Saddam Hussein's drive to acquire these weapons. Every approach the U.N. has taken to stop Iraq's drive for WMD has failed. In 1998, after Iraq had again kicked out U.N. inspectors, President Clinton came to the Pentagon and said:

"If [Saddam] fails to comply, and we fail to act, or we take some ambiguous third route which gives him yet more opportunities to develop his weapons of mass destruction . . . and continue to ignore the solemn commitment he made. . . . he will conclude that the international community has lost its will. He will conclude that he can go right on and do more to rebuild an arsenal of devastating destruction. . . . The stakes could not be higher. Some day, some way, I guarantee you, he'll use that arsenal."

At the time, the U.S. massed forces in the Persian Gulf, ready to strike. At the last minute, Iraq relented and allowed U.N. inspectors to return. But predictably, they kicked them out again 10 months later. They have not been allowed to return since. He has not only paid a price for that defiance, he has been rewarded for his defiance of the U.N. by increased trade from a large group of U.N. member nations.

If, in 1998, Saddam Hussein posed the grave threat that President Clinton correctly described, then he most certainly poses a vastly greater danger today, after 4 years without inspectors on the ground to challenge his WMD procurement and development efforts. To those who still ask—that is what has changed!

*Some have asked what are the incentives for Iraq to comply—is there anything the Iraqi regime could do to forestall military action? Or is he finished either way?*

Our objective is gaining Iraq's compliance. Our objective is an Iraq that does not menace its neighbors, does not pursue WMD, does not oppress its people or threaten the United States. The President set forth in his speech what an Iraqi regime that wanted peace would do. Everything we know about the character and record of the current Iraqi regime indicates that it is highly unlikely to do the things the President has said it must do. So long as Saddam Hussein is leading that country, to expect otherwise is, as the President put it, to "hope against the evidence." If Saddam Hussein is in a corner, it is because he has put himself there. One choice he has is to take his family and key leaders and seek asylum elsewhere. Surely one of the one hundred and eighty plus countries would take his regime—possibly Belarus.

*Some ask does the U.S. needs U.N. support?*

The President has asked the U.N. Security Council to act because it is the U.N. Security Council that is being defied, disobeyed and made less relevant by the Iraqi regime's defiance. There have already been 16 U.N. resolutions, every one of which Saddam Hussein has ignored. There is no shortage of U.N. resolutions. What there

is is a shortage of consequences for Saddam's ongoing defiance of those 16 U.N. resolutions. The President has made the case that it is dangerous for the United Nations to be made irrelevant by the Iraqi regime.

As the President put it in his address last week, "All the world now faces a test, and the United Nations a difficult and defining moment. Are Security Council resolutions to be honored and enforced, or cast aside without consequence? Will the United Nations serve the purpose of its founding, or will it be irrelevant?"

But the President has also been clear that all options are on the table. The only option President Bush has ruled out is to do nothing.

Mr. Chairman, as the President has made clear, this is a critical moment for our country and for the world. Our resolve is being put to the test. It is a test that, unfortunately, the world's free nations have failed before in recent history—with terrible consequences.

Long before the Second World War, Hitler wrote in *Mein Kampf* indicating what he intended to do. But the hope was that maybe he would not do what he said. Between 35 and 60 million people died because of a series of fatal miscalculations. He might have been stopped early—at a minimal cost of lives—had the vast majority of the world's leaders not decided at the time that the risks of acting were greater than the risks of not acting.

Today, we must decide whether the risks of acting are greater than the risks of not acting. Saddam Hussein has made his intentions clear. He has used weapons of mass destruction against his own people and his neighbors. He has demonstrated an intention to take the territory of his neighbors. He has launched ballistic missiles against U.S. allies and others in the region. He plays host to terrorist networks. He pays rewards to the families of suicide bombers in Israel—like those who killed five Americans at the Hebrew University earlier this year. He is hostile to the United States, because we have denied him the ability he has sought to impose his will on his neighbors. He has said, in no uncertain terms, that he would use weapons of mass destruction against the United States. He has, at this moment, stockpiles chemical and biological weapons, and is pursuing nuclear weapons. If he demonstrates the capability to deliver them to our shores, the world would be changed. Our people would be at great risk. Our willingness to be engaged in the world, our willingness to project power to stop aggression, our ability to forge coalitions for multilateral action, could all be under question. Many lives could be lost.

We need to decide as a people how we feel about that. Do the risks of taking action to stop that threat outweigh these risks of living in the world we see? Or is the risk of doing nothing greater than the risk of acting? That is the question President Bush has posed to Congress, to the American people, and to the world community.

The question comes down to this: how will the history of this era be recorded? When we look back on previous periods of our history, we see there have been many books written about threats and attacks that were not anticipated:

- *At Dawn We Slept: The Untold Story of Pearl Harbor*
- *December 7, 1941: The Day the Admirals Slept Late*
- *Pearl Harbor: Final Judgment*
- *From Munich to Pearl Harbor*
- *While England Slept*
- *The Cost of Failure*

The list of such books is endless. Unfortunately, in the past year, historians have added to that body of literature—there are already books out on the September 11 attacks and why they were not prevented. As we meet today, congressional committees are trying to determine why that tragic event was not prevented.

Each is an attempt by the authors to "connect the dots"—to determine what happened, and why it was not possible to figure out that it was going to happen.

Our job today—the President's, Congress' and the U.N.'s—is to connect the dots *before* the fact, to anticipate vastly more lethal attacks before they happen, and to make the right decision as to whether we should take preventive action before it is too late.

We are on notice—each of us. Each has a solemn responsibility to do everything in our power to ensure that, when the history of this period is written, the books won't ask why we slept—to ensure that history will instead record that on September 11, the American people were awakened to the impending dangers—and that those entrusted with the safety of the American people made the right decisions and saved our Nation, and the world, from 21st century threats.

President Bush is determined to do just that.

Chairman LEVIN. We are delighted to have Senator Thurmond with us, too. We join in your comments. It probably won't be the last time that you'll be testifying before Senator Thurmond retires, but, nonetheless, your sentiments are surely echoed by all of us.

General Myers.

**STATEMENT OF GEN. RICHARD B. MYERS, USAF, CHAIRMAN,  
JOINT CHIEFS OF STAFF**

General MYERS. Chairman Levin, Senator Warner, distinguished members of the committee, thank you for the opportunity to appear before you today.

I would also like to take a minute to recognize Senator Thurmond for his 48 years of service to our Nation as a Member of Congress. He's been a champion for our Service men and women now for five decades. I think we also ought to recognize his service in the United States Army during World War II. That service is legendary, and he's an example for all the men and women in uniform today. Senator Thurmond, your departure will mark not just the retirement of a great Senator, but it will also mark the retirement of a prominent member of the greatest generation, and we wish you, Senator, and your family, all the best.

Mr. Chairman, I request that my prepared statement be submitted for the record.

Chairman LEVIN. It will be made part of the record.

General MYERS. I will make some short introductory remarks and then answer any questions you might have.

I don't think I can add anything to what Secretary Rumsfeld has said on the threat that Iraq represents to America, our interests, or our allies. So let me tell you that our Nation's military forces are ready and able to do whatever the President asks of them.

As a result of the support of Congress and the American public, your Armed Forces have made dramatic strides in the past decade, and I'll just cover three key areas. First, our intelligence, surveillance, and reconnaissance forces together with our enhanced command and control networks have given our joint war fighters a faster, more agile decision cycle than the one we had a decade ago. For our war fighters, this means that they have updated tactical information that is minutes to hours old, vice days old.

Second, we have a much better power-projection capability. The strong congressional support for programs such as the C-17 and the large medium-speed roll-on/roll-off ships has meant that we can deploy and sustain the force much better.

Finally, our Nation's combat power has increased dramatically over the past decade. For example, the Joint Direct Attack Munition provides all of our bomber aircraft and the majority of our fighter aircraft with a day-night all-weather precision-attack capability. Our ground forces have better and more accurate long-range weapons with the improved Army tactical missile system and a faster multiple-launch rocket system. Today we have sufficient forces to continue our ongoing operations, meet our international commitments, and continue to protect the American homeland.

At the same time, some key units are in high demand. The mobilization of the Guard and Reserve have helped reduce the stress on

some of these key units. Any major combat operation will, of course, require us to prioritize the task given to such units.

While our military capabilities have improved over the past decade, the foundation of our success remains our soldier, sailors, airmen, marines, and coast guardsmen—and when I say that, I also include our civilians and the Reserve component, obviously, are all wrapped up in there. It's their superior training, leadership, and discipline that are the core of our effectiveness. In my view, these qualities are the reason that our men and women in uniform enjoy respect and high regard of other professional militaries around the world. It's also for these reasons that our military forces are such effective partners in coalition operations.

Once again, Mr. Chairman, I welcome the opportunity to be here today to tell you that our Nation's joint forces can accomplish whatever mission the Nation needs them to do.

[The prepared statement of General Myers follows:]

PREPARED STATEMENT BY GEN. RICHARD B. MYERS, USAF

I welcome the opportunity to share with you the nature of the threat that the Iraqi regime presents to the United States, our forces and our allies. I also welcome this chance to share with you what you the improved capabilities our Armed Forces possess today.

IRAQ TODAY

As it has for the past decade, the Iraqi regime remains a significant threat to our interests and those of our allies. Despite the presence of U.N. sanctions, Iraq has repaired and sustained key elements of its offensive, conventional forces. Iraqi armed forces maintain over 2,000 main battle tanks, more than 3,500 armored personnel carriers, and more than 2,000 pieces of artillery. Today, Iraqi ground forces have 23 divisions, to include 6 Republican Guard divisions. Its Air Force operates over 50 key air defense radars and has about 300 jet aircraft, to include a limited number of Mirage F-1s and MiG-29 Fulcrum aircraft.

Since 2000, Iraq's air defense forces have engaged coalition forces enforcing the U.N. mandated No-Fly Zones over Northern and Southern Iraq more than 2,300 times. Since August of 2001, Iraqi hostile actions have downed 3 Predator Unmanned Aerial Vehicles. In the last 2 weeks, over 25 coalition aircraft enforcing the No-Fly Zones have been engaged by Iraqi anti-aircraft and surface-to-air missiles.

Despite these hostile actions, in the aggregate, the regime's military forces are down by roughly 50 to 60 percent, compared to 1990. Poor morale is reportedly widespread in many units and the quality of training is low. Iraqi forces employ aging weapon systems. Nonetheless, Iraq continues to invest heavily in rebuilding its military, including air defense systems and command and control networks. The Iraqi army also has preserved some limited country-wide mobility for its armored forces. The nature and type of these military forces are similar to the offensive capability Iraq used to invade Iran, to invade Kuwait, to attack the Kurds, and to crush popular uprisings against Saddam's regime.

At the same time, Iraq's weapons of mass destruction (WMD) program represents a greater threat to American lives, our interests and those of our allies and friends. When U.N. inspection teams were forced to leave Iraq in 1998, they documented that Iraq had failed to fulfill U.N. disarmament mandates and to accurately account for its most dangerous weapons. In response to ejecting those inspectors, the U.S. and our coalition partners conducted Operation Desert Fox in December 1998. In 70 hours, the coalition dealt a limited blow to Iraq's WMD and missile programs. At the time, we estimated that we set back its programs by 6 months to a year. In the 4 years since, Iraq has continued to develop chemical weapons, primarily mustard agent, the nerve agent Sarin, and VX—an extremely potent nerve agent. Prior to 1991, Iraq produced at least 28,000 filled chemical munitions and almost certainly many more.

Iraq has also invested heavily into developing biological agents. After years of denying it had any offensive biological weapons, in 1995, the Iraqi regime admitted to the U.N. that it had produced more than 30,000 liters of concentrated biological warfare agents. To put in comparison, a year ago, trace amounts of anthrax infected 22 persons in the U.S. and killed 5 Americans. UNSCOM estimated that Iraqi offi-

cials were misleading and that Baghdad could have produced 2–4 times more agents. Moreover, the U.N. was unable to account for nearly 200 biological bombs and missile warheads Iraq claims it destroyed in 1991.

Iraq retains the ability to deliver these chemical and biological weapons with aircraft, artillery shells, or missiles. Two years ago, it displayed an array of new missiles and has begun fielding them with its military forces this year. These weapons, known as the Al Samoud and Ababil–100 missiles, violate U.N. resolutions because they are capable of reaching beyond the 150-kilometer range limit imposed on Iraqi missiles and rockets.

With regards to nuclear weapons, Iraq continues to vigorously pursue this capability. In 2000, the International Atomic Energy Agency estimated that Iraq could have a nuclear weapon within 2 years. We do not know definitively how long it will be until it creates an operational nuclear capability. With foreign assistance, Iraq could have such a weapon in a few years or much sooner if it is able to obtain sufficient fissile materials from a foreign source.

But, we know, without any doubt, that Iraq values these clandestine programs. Iraq has developed elaborate deception and dispersal efforts aimed at preventing us and the rest of the world from learning about its WMD capabilities. As a result, we do not know the exact location of many of Iraq's WMD resources.

We also know that Iraq has demonstrated a willingness to use such indiscriminate weapons. The regime has used WMD against the citizens of Iraq and Iran. It has used Scud missiles against cities in Israel, Saudi Arabia, Iran, and tried to hit Bahrain. In fact, Iraq has used weapons of mass destruction more against civilians than against military forces.

The Iraqi regime has also allowed its country to be a haven for terrorists. Since the 1970s, organizations such as the Abu Nidal Organization, Palestinian Liberation Front and Mujahadeen-e-Khalq have found sanctuary within Iraq's borders. Over the past few months, with the demise of their safe haven in Afghanistan, some al Qaida operatives have relocated to Iraq. Baghdad's support for international terrorist organizations ranges from explicit and overt support to implicit and passive acquiescence.

Iraq is governed by a terrorist regime. From a military perspective, Iraq's conventional forces and WMD programs represent a threat to the region, our allies and U.S. interests.

#### U.S. MILITARY CAPABILITIES TODAY

Our Nation's military forces enjoy the respect of the vast majority of countries and their armed forces. This respect stems from our forces' professional skills, superior intelligence assets, agile power projection capability, unique C<sup>2</sup> networks and the lethal combat power that our Joint Team brings to the fight. As we have done in Operation Desert Storm, in Bosnia, in Kosovo and most recently in Afghanistan, our Armed Forces are always ready to integrate the military capabilities of our allies and partners into a decidedly superior, coalition force.

In a contest between Iraq's military forces and our Nation's Armed Forces, the outcome is clear. Our joint warfighting team, in concert with our partners, can and will decisively defeat Iraqi military forces.

Many will remember the results of the last encounter between our coalition forces and Iraq 11 years ago. Since then, U.S. combat power has improved. Today, our Nation's joint warfighting team enjoys improved intelligence, command and control, is more deployable and possesses greater combat power. Let me briefly address each of these areas.

In terms of intelligence, surveillance, and reconnaissance capability, our operations over Afghanistan demonstrated our improved ability to observe the enemy. Our network of sensors, combined with the improved flow of tactical information to commanders and warfighters at all levels, have allowed us to react faster to a fluid battlefield environment. In Operation Desert Storm, our only unmanned aerial vehicle, the Pioneer, was limited to a 5-hour sortie and restricted to line-of-sight from its command center. Today, Predator and Global Hawk provide our forces day and night surveillance capability for extended periods of time far over the horizon.

In a similar manner, our warfighters have more updated intelligence for their mission. In Operation Desert Storm, pilots used target photos that were often 2–3 days old. Determining accurate coordinates often required 24 hours and was done exclusively in the rear echelon in the United States. This process was good, but not as responsive as it needed to be. Today, our aircrews have photos that are often only hours old and can determine coordinates for precision engagement in just 20 minutes.



A critical component of the information needed by our warfighting commanders is to monitor and detect the presence of chemical and biological agents in the tactical environment. Today, our forces have an improved ability to detect suspected Iraqi chemical and biological agents.

Our command and control systems have also improved. Today, U.S. Army ground commanders have vastly improved capabilities for tracking the real-time locations of their tactical units. Our air operations have undergone an improved ability to track key enemy forces, friendly units, and to obtain faster assessment of the effects of our attacks. The Joint Force Air Component Commander in Operation Enduring Freedom repeatedly demonstrated the ability to re-task all aircraft while airborne and strike emerging targets quickly, in some cases in as little as 2 hours. Also, our Maritime Component Commanders can now plan a Tomahawk Land Attack Missile mission in a matter of a few hours, when a decade ago it required at least 2 days.

The Nation's ability to get to a crisis, with the right forces, to execute operations on our timeline has improved over the past decade. With the strong support of Congress, we invested in our deployment infrastructure and equipment to allow operational units to deploy faster and arrive better configured to fight. Since 1991, congressional support of strategic power projection capabilities such as the C-17 aircraft, Large-Medium Speed Roll-On/Roll-Off (LMSR) ship program and both afloat and ground based, pre-positioned combat unit sets, contribute significantly to our combat capability.

Additionally, we continue to work with the Nation's medical experts at the Health and Human Services Department to ensure every member of our Armed Forces will be fully prepared medically with immunizations against potential biological threats. This September, we resumed immunizations against anthrax for military personnel in select units.

These improvements allow our Nation's military to gather intelligence, plan operations, deploy, and execute combat missions much faster than 11 years ago. These improvements ensure that we have a faster decision cycle than our opponent. These enhancements equate to flexibility and agility in combat, which directly translates into a superior force.

Equally dramatic has been our improvement in the combat power of our forces. In Operation Desert Storm, only 18 percent of our force had the ability to employ laser guided bombs (LGBs). Of the more than 200,000 bombs employed, only 4 percent were LGBs. Today, all of our fixed-wing combat aircraft have a range of precision attack capability. In addition, all of our bombers and 5 of our 7 primary air-to-ground fighter weapon systems have all-weather precision attack capability with the Joint Direct Attack Munition.

The results of these enhancements are measured in numerous ways. For example, on the first night of our combat operations in Afghanistan, we employed 38 fighter and bomber aircraft to attack 159 separate targets. All aircraft employed precision weapons. Had we relied on a Operation Desert Storm equipped force, we would have needed roughly 450 aircraft to gain the same level of destruction. In Operation Desert Storm, we could not have afforded this size force against so few targets. So in 1991, we used selected precision weapons from F-111s, F-117s, and A-6s on key targets that had to be destroyed. On the rest of the targets, we accepted a lower degree of damage. In 1991, our attacks required good weather between the aircraft and its target. In Afghanistan, weather was often not a major factor.

The combat power of our Army and Marine forces has improved as well. We have significantly improved the quality and quantity of Army Tactical Missile System (ATACMS) with wide-area and GPS aided missiles. Our Multiple Launch Rocket System (MLRS) has significantly improved its fire rate. Our M-1 tanks continue to have the ability to identify and destroy an Iraqi T-72 tank at twice the range that it can identify and fire at our tanks. Our Bradley Fighting Vehicles, equipped with upgraded fire control systems, now have the ability to fire accurately while on the move. The addition of the Longbow to Apache helicopter units has given those forces the ability to destroy twice as many enemy vehicles in roughly half the time—with improved survivability. Finally, some of our soldiers and marines now have the Javelin fire-and-forget anti-tank system that adds a dramatic new weapon to their fight.

Today, we have made similar improvements to virtually all aspects of our joint team. Through tough, realistic training, our soldiers, sailors, airmen, marines, and coast guardsmen are a ready, capable fighting force. Individually, these improvements are significant. Combined, they reflect an improved joint warfighting team. We still have much to do in regards to fully transforming our forces for the 21st century, but there should be no doubt that, if called upon, our Armed Forces will prevail in any conflict.

Our Armed Forces are capable of carrying out our defense strategy. We do have sufficient capability to conduct effective operations against Iraq while maintaining other aspects of the war on terrorism, protecting the U.S. homeland, and keeping our commitments in other regions of the world. Our on-going operations require approximately 15 to 20 percent of our major combat units, such as carriers, fighter and bomber aircraft, and heavy and light Army divisions. The chart below reflects the major combat forces currently deployed to operations or committed overseas.

Force	Total	Committed
AF Fighters .....	1597	360
Bombers .....	115	10
Carriers .....	12	2
ARG/MEU .....	12	3
Heavy Divisions .....	13	2
Light Divisions .....	5	1
Armored Cav Rgt .....	3	0
SF Groups .....	7	2

There are some unique units that are in high demand. Such capabilities mainly involve command and control assets, intelligence platforms, Special Operations Forces, Combat Rescue Forces, and similar select units. Mobilization of Guard and Reserve forces has been key to mitigating the current stress on some of these units. If our operations on the war on terrorism are expanded, we will be required to prioritize the employment of these enabling units. In this regard, our coalition partners may facilitate our combined operations by having similar units or forces. Where possible, we will leverage the best available capability to the mission required.

We also have sufficient resources to logistically support our combat operations. For example, our current stockpile of precision weapons has been increased in recent months due to the solid support of Congress and the tremendous potential of our Nation's industrial base. Along with the significant improvements in deployability I mentioned earlier, we continue to exploit the best of logistics information technologies to ensure we know what the combat commander in the field needs, where those supplies are located world-wide, and to track those supplies from the factory or depot to the troops at the front.

Our military planning will include operations to facilitate humanitarian assistance and civil affairs. Our efforts in Afghanistan have demonstrated that these efforts can be as important as conventional operations on the battlefield.

Our ability to accomplish our current missions is predicated on the availability of funds for current operations. To continue Operation Noble Eagle and to prosecute the War on Terrorism into fiscal year 2003, it is imperative that our Armed Forces have access to the full \$10 billion War Operational Contingency Reserve Fund that is part of the fiscal year 2003 Defense Budget Request. Moreover, it is vital that these funds be made available strictly for warfighting as requested, so that our forces will have the maximum flexibility to react to dynamic operational requirements and to address emerging needs, as they arise.

#### CONCLUSION

For these reasons, the Joint Chiefs and I are confident that we can accomplish whatever mission the President asks of our Armed Forces. We are prepared to operate with our coalition partners. As before, we will be prepared to operate in a chemical or biological environment. Every day, our soldiers, sailors, airmen, marines, and coast guardsmen have dedicated their lives and their professional skill to protect American lives and our interests worldwide. The men and women wearing the uniform of our Nation have translated the technologies I described into combat power that will allow us to protect our Nation and interests. With the support of the American public and Congress, we will prevail in any conflict.

Chairman LEVIN. Thank you, General Myers. As I indicated, we'll have a round of 6 minutes, on the early-bird rule.

Secretary Rumsfeld, you said in June that because we have underfunded and overused our forces, we find: we're short a division; we're short aircraft; we've been underfunding aging infrastructure facilities; we're short on high-demand, low-density assets; the aircraft fleet is aging at a considerable and growing cost to maintain; the Navy is declining in numbers; and we are steadily falling below

accepted readiness standards. It's been pointed out by a number of people regularly, and General Myers today, who testified that if our operations on the war on terrorism are expanded, we'll be required to prioritize the employment of enabling units.

Both of you have testified that we are stretched mighty thin already, and I'd like you to explain, if you can, how we can carry out this significant additional commitment with the forces that we now have that are already stretched thin?

Secretary RUMSFELD. I'd make four points. One is that the executive branch and the legislative branch have, in the past two periods, increased the budget of the Department of Defense in a considerable amount.

Second, under the emergency authority of the President, we've called up something in excess of 70,000 Reserves and some 20,000 stop losses of people who would normally have gotten out who have not gotten out.

Third, we have been in the process of trying to move more and more people in uniform out of activities that don't require a person in uniform and back into things that do require people in uniform.

Fourth, we have been drawing down our forces. For example, in Bosnia, Kosovo, and in other parts of the globe where we felt it was a static situation, we began moving them out in ways in cooperation with our allies and our friends.

Chairman LEVIN. Thank you.

General Myers, some have suggested that the U.S. military invasion of Iraq would be a "cakewalk." Give us your characterization, if you would, of what we can expect.

General MYERS. The senior leadership, civilian or military, does not think that any combat operation is a cakewalk. Certainly if the President were to ask us to conduct combat operations in Iraq, that's certainly not how I would characterize it. Anytime you put the lives of our sons and daughters at risk, calling it a cakewalk is doing a disservice to them and to the country.

What we do know—and it's in my written statement—that the Iraqi forces over the past decade, for the most part, are less effective than they probably were 10 years ago. That is in all sectors like their command and control. They've done a lot of work in fiber optics, so they're probably a little bit better there along with their air defenses. Clearly in their weapons of mass destruction, they have improved. They've had since 1998 to continue and increase their production of weapons of mass destruction, and that would be one of the things you'd be concerned about in a potential conflict.

On the other hand, as I mentioned in my opening statement, the United States forces are much better, as well.

Chairman LEVIN. Thank you.

Mr. Secretary, in your judgment, is there any chance at all that Saddam Hussein would open Iraq to full inspections and disarmament if the alternative that he knew he faced was to be destroyed and removed from power?

Secretary RUMSFELD. I suspect that anyone's guess on that is as good as anyone else's. There certainly have been leaders in the world—dictators particularly—who have seen their run end and the game play out; they've taken their families and some of their

close supporters and gone and lived in another country in some sort of asylum. That's, I supposed, a calculation.

The other calculation would be to admit to the world that for the last period of years he had been lying and he does, in fact, have these capabilities, but say, "That's all right, the world can come in now." It would have to come in such large numbers and so intrusively just to find the weapons of mass destruction. They're so well buried, they're so well dispersed, and they're in so many different locations that it would take a massive intrusion into his country and his way of life. I just don't know which choice he might take as an alternative.

Chairman LEVIN. Do you agree with the intelligence community that the retention of power is Saddam Hussein's number one goal?

Secretary RUMSFELD. He certainly is a survivor. I mean, he killed people to get into the job in a coup, and he's managed to kill off a lot of people to stay in there. I suspect that one of the first things he thinks about when he gets up in the morning is retaining power.

Chairman LEVIN. Is it the last thing he thinks about when he goes to bed at night?

Secretary RUMSFELD. He seems to go to bed at night in a different bed every night.

Chairman LEVIN. Wherever he goes to bed, do you believe, with the intelligence community, that that is the first and last thing he thinks about during the day?

Secretary RUMSFELD. Well, I guess I'm not part of the intelligence community. But there's no question, he's survived.

Chairman LEVIN. Given that you believe and testified that agreeing to inspections is a dance or a ruse, is there any purpose in a return of U.N. weapons inspectors?

Secretary RUMSFELD. Well, I think that's really a question for the President and Secretary Powell. Colin is working on that with his U.N. colleagues, and the President, needless to say, is addressing it with him and with the National Security Council. The U.N. inspection program was much stricter in the first period when it was called UNSCOM than it was more recently when it was called UNMOVIC, and there have been a lot of instances where they've walked back and weakened the inspection program that existed in that earlier period.

There's no doubt in my mind that the inspection program that currently is on the books wouldn't work, because it's so much weaker than the earlier one. We know the earlier one had some real successes and did end up destroying a good deal of material. But we know that there were enormous quantities of things that were unaccounted for.

One of the problems is that you get information from defectors and people who are willing to tell you something. Unless their families are outside of Iraq, they're not going to tell you, because they're going to be killed and their families are going to be killed. So it's a very complicated problem; I'm not an expert on it, so the Department of State's working on it with our U.N. colleagues.

Chairman LEVIN. Thank you. My time has expired.

Senator Warner.

Senator WARNER. Mr. Chairman, thank you.

Mr. Secretary, General Myers very forthrightly just said that the conventional forces possessed by Saddam Hussein today are somewhat less than he had in the 1990/1991 period—I think we all agree with that—but that his inventory of weapons of mass destruction has risen appreciably to a level far greater than any he'd ever require for defensive actions to protect the sovereignty of his country. So he's using them, or amassing these weapons, in all likelihood, for offensive action and possibly export. But as the calculus is made, should force be needed—but I repeat, our President has said he didn't declare war when he spoke out the U.N.; he's only seeking action by them despite the loose talk about war. The point I wish to make is if Saddam's conventional is down, is he more likely then to have to resort to the use of weapons of mass destruction should military action be taken? What are the increased risks to those in uniform who undertake that action? Are we prepared?

Secretary RUMSFELD. I'll let General Myers comment on the precautions that are taken so that men and women in uniform can function in the event of such an attack.

To go the first part of your question, he can't do it himself. He can't use weapons of mass destruction by himself. He's running, he's moving around, and he's constantly looking out for his own life. He would have to persuade other people. It would be our task to do everything humanly possible to explain to the Iraqi people that we recognize that the bulk of the Iraqi people are hostages to a very vicious regime. If you think back to Operation Desert Storm, the Gulf War, something like 70,000 to 80,000 Iraqi soldiers surrendered in the first three and a half days. Several hundred tried to surrender to a newsman who didn't even have a weapon.

There are an awful lot of people who aren't very pleased with the Saddam Hussein regime, and he has to use some of those people to use weapons of mass destruction. We would have to make very clear to them that what we're concerned about in Iraq is the Saddam Hussein regime, and the regime is not all the soldiers and it's not all the people, and that they ought to be very careful about functioning in that chain of command for weapons of mass destruction.

Senator WARNER. Do we read in that there's a presumption that he has delegated the authority to initiate the use of those weapons, in all probability, to a level below him involving one or more persons?

Secretary RUMSFELD. I don't want to get into that question of command and control in that country. I will say this, that you cannot physically do it yourself, just like the President of the United States can't physically fly an airplane, make a ship go from one place to another, launch a rocket, or drop a bomb. You need other people. Those people I don't believe think very highly of that regime.

Senator WARNER. General Myers, as to the military analysis, as the conventional forces come down, he has to rely on weapons other than conventional to a greater degree, correct?

General MYERS. Senator Warner, I think the answer is that it's really unknowable how the regime would use weapons of mass destruction, but you'd have to plan on worst case. You'd have to assume they would be used.

We are somewhat better off than we were a decade ago. The protective equipment has improved over time. It's still cumbersome, more cumbersome than it should be, but it's much better than it was a decade ago, and much better than when I was wearing it out in the field.

We have better early warning and netting of our sensors today, so better detection capability and to tell what kind of attack we're under. Of course, one of the things you'd think about doing would be attacking his delivery means or his weapons of mass destruction. As the Secretary said, we don't know where all of that is, so that would be problematic. But as it develops, that would be one of the things that General Franks would pay a lot of attention to. If he ever has to do this, he would pay attention to them getting ready with their weapons of mass destruction.

Senator WARNER. I think what you are saying is reassuring and important to have as a part of this record.

I'd like to go to a second point. Of recent, there are individuals who have expressed a knowledge that within the Pentagon today there's considerable dissent, or whatever quantum they said, among senior officers as to the advisability of initiating the use of force in Iraq, should that become necessary. I'd like to explore that.

I go back again to the Goldwater-Nichols Act, which this committee wrote and we carefully put in there many years ago, that the views of senior officers can be shared with Congress. Now, I remember 12 years ago, on September 11, 1990, in a situation remarkably similar to the hearing we're having today, I then asked Chairman of the Joint Chiefs of Staff, Colin Powell, this question, quote, "The law now provides for individual members of the Joint Chiefs to express their views if they have views inconsistent with those of the Secretary and the Chairman."

In this instance, I presume there is full consultation among all members of the Joint Chiefs of Staff. Now, I can understand, from my experience in the Pentagon during Vietnam, the seniors were asked to give their different views. As a matter of fact, it's some of those views that were given to Secretary Laird, Secretary Schlesinger and others that resulted in our policies in those days. I remember those meetings very well. I think that's proper.

But I guess I'm probing to determine whether or not there's any significant level of dissent which causes you trouble in coming forward today and saying, "We are prepared to undertake such missions as may be directed by the President."

General MYERS. Senator Warner, I'll just keep it real short. Absolutely not.

Senator WARNER. Thank you.

Secretary Rumsfeld.

Secretary RUMSFELD. Yes, anyone with any sense has concerns about the use of force, because you simply do not put people's lives at risk without have a darn good reason and having thought it through. General Myers, General Pace, and I spend a good deal of time looking at the things that can go wrong—the down sides like what could be a problem, what could be a difficulty, what is the worst case here, and the worst case there. I don't know a single civilian or military person who's involved in thinking about these

problems in the Department of Defense who doesn't have concerns. One would be a fool not to.

Senator WARNER. Yes.

Secretary RUMSFELD. I read what you read in the paper. I think it's inaccurate. I meet with the Chiefs. I meet with the Vice Chiefs. I meet with the combatant commanders. I hear what they say and I know what they think. I meet with civilian leadership. My impression is that there are people across the spectrum, both in the uniform and outside the uniform, and I urge the committee to call up anyone you want and ask them anything you want. Let's hear what they have to say.

Senator WARNER. I think that's clear.

My time is up, Mr. Chairman.

Chairman LEVIN. Thank you very much.

Senator Kennedy.

Senator KENNEDY. Thank you.

Mr. Secretary, in response to the earlier question, you indicated that Saddam Hussein can't use these weapons of mass destruction himself. He has to persuade other people and he needs other people. Is it your intelligence now that he has persuaded other people and that they are in a go mode, or hasn't he done that at this time?

Secretary RUMSFELD. We have no way to know. My impression is that if you asked any of those high level people today, they would say they're totally loyal to their leader, and one will not know until one gets to that moment.

Senator KENNEDY. Well, I guess your answer then is, if he says go, they'll go. Is what I'm just hearing back from you?

Secretary RUMSFELD. No, you're misunderstanding me. What I am saying is, if he says go, those people better think very carefully about whether that's how they want to handle their lives.

Senator KENNEDY. Well, I want to join with those that recognize the great danger of Saddam Hussein and commend the President for going to the United Nations to try and find out a way of dealing with these weapons of mass destructions. Clearly there are risks if we take no action. We know that Saddam has used the weapons before, but many analysts believe that Saddam's on notice now and that he'll use these weapons only if his regime is about to fall. In that case, he will use everything at his disposal.

My question is, what is the basis of your judgment that there's a higher risk if we don't go to war than if we do, since many believe that Saddam will use the weapons of mass destruction if his back is against the wall and his regime is about to fall?

Secretary RUMSFELD. Well, let me reverse it. If the argument goes "one must not do anything because he has weapons of sufficient power that they could impose destruction on us that would be at an unacceptable level," then the next step would be that, if that's the conclusion, then in 1 year, 2 years, 3 years, and he has even more powerful weapons, a nuclear weapon, and longer-range capabilities, then he is able to use those weapons of terror to terrorize the rest of the world, including the United States. It's kind of like feeding an alligator hoping it eats you last.

Senator KENNEDY. Well, I'm asking the question. This might not be 1 year, 2 year, 3 years; this may be in 1 month, 2 months, 3 months. It's, as I understand, a very real possibility. Many of the

analysts believe, that when his back is up against the wall, he'll throw everything at us, including weapons of mass destruction.

Secretary RUMSFELD. It's possible.

Senator KENNEDY. It's very possible, you recognize. So it is possible; we'll leave it at that. It is possible that he'll use them.

Now, there's certainly a possibility that he'll use them against Israel, as well. There is a possibility that Israel would respond with nuclear weapons, as well. This isn't the best nor the worst-case scenario, but all those are real possibilities. What kind of situation do you see then, in terms of Arab countries that may not have joined us in the war but are joining us now in the war on terrorism? What's going to happen, and how do you want to see this play out in terms of the situation both in Iraq and what we're going to be left with?

Secretary RUMSFELD. Those are all considerations that have to be very carefully thought through by the President, the Secretary of State, and others. We already do know that Saddam Hussein is willing to use weapons of mass destruction, because he's used chemicals on his own people and on the Iranians. This is a man who isn't shy about using those things.

Senator KENNEDY. So we shouldn't be shy to think that he wouldn't use them if his back is against the wall, and we wouldn't go in there not to win as you pointed out. We'd go in there hard and fast to remove Saddam Hussein. Is that correct? Or his regime.

Secretary RUMSFELD. That's right, if that decision is made.

Senator KENNEDY. Whatever decision is made, those that are going to be able to be in command and control of those weapons of mass destruction will use them. That's why we'd be going in there, to minimize the dangers of weapons of mass destruction.

As you pointed out, the weapons against his own people and against the Iranians.

Secretary RUMSFELD. Exactly.

Senator KENNEDY. So what makes you believe that he wouldn't use them if he knows that he's going down?

Secretary RUMSFELD. I didn't indicate that I believed he would not use them. I said I did not know, and it would be a function of how successful we were in persuading the Iraqi people, who I am convinced large fractions want to be liberated. That is a terrible life they have, and they're frightened of this man.

Senator KENNEDY. They've been unsuccessful.

Secretary RUMSFELD. That's right.

Senator KENNEDY. It's just fear they've got. They've been unsuccessful in doing it. Let me ask this question.

Secretary RUMSFELD. Could I answer on Israel?

Senator KENNEDY. Good, go ahead.

Secretary RUMSFELD. It is possible. He has fired missiles at four of his neighbors. We know what he did to Israel in the Gulf War. In my view, it was in Israel's interest to stay out of the Gulf War. In my view, it would be overwhelmingly in Israel's interest to stay out in the event that a conflict were to occur prospectively.

With respect to the Arab countries you asked about, they know what Saddam Hussein is. There isn't one of his neighbors who doesn't want him gone. You've talked to them. We know that. They live in the neighborhood, and he's about several times stronger



than they are, so they're careful about what they say publicly. I don't blame them, but they have to know that he threatens their regimes. He tries to occupy their countries. So they would be enormously relieved if that clique running Iraq were gone.

Senator KENNEDY. Do you think there's more of a chance or less of a chance for Saddam Hussein to make his weapons of mass destruction more available to terrorist organizations or to al Qaeda if we were to become involved in a war? Does that increase the dangers of proliferation of these weapons or not? How does this fit into your calculations?

Secretary RUMSFELD. In my view, the only way you can prevent Saddam Hussein from providing weapons of mass destruction to terrorist networks is to disarm Iraq and not have them have those weapons while he's leading the country.

Senator KENNEDY. Just one last point since my time is up. If there were to be an attack on Israel, the Israelis have the Arrow and the Patriot missiles to try to shoot those down. However, those weapons may very well have bio-terrorism material, so it isn't like shooting an explosive. The products could very well land in Israel, and I would imagine that that would cause a serious kind of reaction, which would have been different from the previous war, would it not?

Secretary RUMSFELD. What you have stated is a possibility.

Chairman LEVIN. Thank you, Senator Kennedy.

Senator Hutchinson.

Senator HUTCHINSON. Thank you, Mr. Chairman.

Mr. Secretary, General Myers, welcome. As I read the White House discussion draft on a joint resolution that was sent over, it just struck me that there is absolutely no more serious or sober decision that Congress ever makes than voting on a resolution like this that would authorize and stamp approval upon the use of force. I appreciate that it was in that spirit that General Myers spoke a moment ago that is a very serious and sober discussion that we're having.

I appreciate the President's very forceful and convincing case that he made before the United Nations that we must deal sooner rather than inevitably later with Saddam Hussein and the threat that he poses. I applaud his leadership in reminding the world community about Saddam's long record of support for terrorism, the pursuit of the use of weapons of mass destruction, and the repression of his own people.

I believe that Saddam Hussein, in fact, does present a clear and present danger, not only to the security of the United States, but to his region and to the security of other nations in that part of the world. You have made a very clear case that he not only possesses weapons of mass destruction, but continues to accumulate and grow those weapons. I think that the doctrine of preemptive defense, as the President outlined it, when the risk is high and the evidence is overwhelming, becomes a moral imperative.

My constituents want to know—as Senator Kennedy pointed out, as the Chairman has pointed out, and others—that there is an enormous risk in going in when this dictator, this brutal international outlaw, has weapons of mass destruction—I think they want to know that by going in and taking that risk that this

world's going to be safer and that their children and their grandchildren are going to have a safer and more secure country and world to live in—the idea of inspectors, where we're waiting 5 months or a year, and then we'll only not really deal with the issue at hand, which is the destruction of those weapons of mass destruction.

He has always sought to cause us to delay, to cause us to dawdle. Mr. Secretary and General Myers, if we do nothing, and 5 years passes, what kind of arsenal, what kind of threat would Saddam Hussein, at that point, pose for the world in which we live?

General MYERS. Five years hence—a lot of this is hypothetical.

Senator HUTCHINSON. A lot of the questions have been hypothetical today.

General MYERS. Right.

Senator HUTCHINSON. Let's hypothesize that if we do nothing.

General MYERS. We're a long way out, though, and I think you had the benefit of Mr. Tenet's testimony, as I mentioned, and Admiral Jacoby.

Clearly, 5 years from now, where Iraq's interest in nuclear weapons might finally materialize into a weapon, would create considerably more strategic concern. There's already strategic concern; it would just make a bad situation much, much worse if he had that. We know he's continuing to produce chemical and biological weapons. We have some idea of what they have, and I think you were briefed on what kinds we think the regime has. There are other ones out there that he doesn't have that in 5 years possibly he could find. Then you have to worry about the delivery means. Right now, they think they have some missile delivery means, interest in other ways to deliver them. By then, who knows? There would be other, more easily obtainable delivery means, cruise missiles and so forth, that could make it a lot more problematic.

Senator HUTCHINSON. Mr. Secretary, do you have anything you could add to that?

Secretary RUMSFELD. Yes. If one looks at their capabilities over the last decade, they declined for a period when the no-fly zones were robust, when the economic sanctions had some traction, and when inspectors were on the ground. In the last 4 years, there have been no inspectors on the ground, the northern and southern no-fly zones have been less robust, and the sanctions have dissipated. Their borders are porous. There is no question but that they went down for a period in the first part of the decade to the middle. By 1998, they were starting to come back up. Their conventional and their weapons of mass destruction capabilities are improving, and they're improving every day, every month.

A great deal of this dual-use capability that's moving into the country—massive numbers of dump trucks—they take the tops off the dump trucks, and they put artillery on the back of it. As General Myers mentioned, they're doing lots of things that are not in the WMD category, like fiber optics.

General MYERS. The last point I would make on Iraq's capability 5 years from now is that there's a great danger there that the nexus between those states that produce and conduct research and development on weapons of mass destruction and terrorist organizations will become a greater threat in the future. We're dealing

with a terrorist organization today, al Qaeda, and there are other terrorist organizations that by then could be just that much worse. I think it'll be easier to conceal things and move things around.

Senator HUTCHINSON. So with great risk now, waiting could be a much greater risk for our security and the world.

General MYERS. I think that's certainly the potential.

Senator HUTCHINSON. Mr. Secretary, we have had discussions before about protection against chemical and biological weapons, and I wondered if you could comment on necessary counter measures should Saddam utilize a weapon of mass destruction—should military action by the United States be required at some point.

Secretary RUMSFELD. Well, I think General Myers commented on the capabilities of our forces to deal with a WMD attack that affected our forces or neighboring countries or staging areas.

Senator HUTCHINSON. General Myers.

General MYERS. The only thing I'd add to my previous comments is that we are better off than we were 10 years ago, both in warning and in our protection. I think we're better able to handle emerging targets that might be related to WMD delivery systems or movement of material. We've also just started inoculations again for anthrax 3 days ago. I think the steps that can be taken to protect our forces, no matter where they are stationed, are much better than they have been and are fairly robust.

Senator HUTCHINSON. Thank you.

Thank you, Mr. Chairman.

Chairman LEVIN. Thank you, Senator Hutchinson.

Secretary RUMSFELD. Mr. Chairman, may I clean up one item in my comment to Senator Kennedy? I just ran through my head that he mentioned the possibility that Israel might engage in a nuclear response were they attacked. I would not want to leave that hanging out there with the implication that I agree with that.

Chairman LEVIN. Senator Byrd.

Senator BYRD. Thank you, Mr. Chairman, for holding these hearings.

Mr. Secretary, to your knowledge, did the United States help Iraq to acquire the building blocks of biological weapons during the Iran-Iraq war? Are we, in fact, now facing the possibility of reaping what we have sown?

Secretary RUMSFELD. Well, certainly not to my knowledge. I have no knowledge of United States companies or Government being involved in assisting Iraq develop chemical, biological, or nuclear weapons.

Senator BYRD. Mr. Secretary, let me read to you from the September 23, 2002, *Newsweek* story. I read excerpts because my time is limited.

"Some Reagan officials even saw Saddam as another Anwar Sadat capable of making Iraq into a modern secular state just as Sadat had tried to lift up Egypt before his assassination in 1981.

"But Saddam had to be rescued first. The war against Iran was going badly by 1982. Iran's human wave attacks threatened to overrun Saddam's armies. Washington decided to give Iraq a helping hand. After Rumsfeld's visit to Baghdad in 1983, U.S. intelligence began supplying the Iraqi dictator with satellite photos showing Iranian deployments. Official documents suggest that

America may also have secretly arranged for tanks and other military hardware to be shipped to Iraq in a swap deal—American tanks to Egypt, Egyptian tanks to Iraq. Over the protests of some Pentagon skeptics, the Reagan administration began allowing the Iraqis to buy a wide variety of “dual-use” equipment and materials from American suppliers. According to confidential Commerce Department export-control documents obtained by *Newsweek*, the shopping list included a computerized database for Saddam’s interior ministry, presumably to help keep track of political opponents, helicopters to transport Iraqi officials, television cameras for video-surveillance application, chemical-analysis equipment for the Iraq Atomic Energy Commission, IAEC, and, most unsettling, numerous shipments of bacteria, fungi and protozoa to the IAEC. According to former officials, the bacteria cultures could be used to make biological weapons, including anthrax. The State Department also approved the shipment of 1.5 million atropine injectors for use against the effects of chemical weapons, but the Pentagon blocked the sale. Yet, the helicopters, some American officials later surmised, were used to spray poison gas on the Kurds.

“The United States almost certainly knew, from its own satellite imagery, that Saddam was using chemical weapons against Iranian troops. When Saddam bombed Kurdish rebels and civilians with a lethal cocktail of mustard gas, sarin, tabin, and VX in 1988, the Reagan administration first blamed Iran before acknowledging, under pressure from congressional Democrats, that the culprits were Saddam’s own forces. There was only token official protest at the time. Saddam’s men were unfazed, and Iraqi audiotape later captured by the Kurds records Saddam’s cousin, Ali Hassan al-Mujid, known as Ali Chemical, talking to his fellow officers about gassing the Kurds. ‘Who is going to say anything,’ he asked, ‘the international community? F-blank them!’”

Now, can this possibly be true? We already knew that Saddam was a dangerous man at the time. I realize that you were not in public office at the time, but you were dispatched to Iraq by President Reagan to talk about the need to improve relations between Iraq and the U.S.

Let me ask you again. To your knowledge, did the United States help Iraq to acquire the building blocks of biological weapons during the Iran-Iraq war? Are we, in fact, now facing the possibility of reaping what we have sown?

*The Washington Post* reported this morning that the United States is stepping away from efforts to strengthen the biological weapons convention. I’ll have a question on that later.

Let me ask you again. Did the United States help Iraq to acquire the building blocks of biological weapons during the Iran-Iraq war? Are we, in fact, now facing the possibility of reaping what we have sown?

Secretary RUMSFELD. I have not read the article. As you suggest, I was, for a period in late 1983 and early 1984, asked by President Reagan to serve as Middle East envoy after the 241 Marines were killed in Beirut. As part of my responsibilities, I did visit Baghdad. I did meet with Mr. Tariq Aziz, and I did meet with Saddam Hussein and spent some time visiting with them about the war they were engaged in with Iran. At the time, our concern, of course, was

Syria and Syria's role in Lebanon, Lebanon's role in the Middle East, and the terrorist acts that were taking place. As a private citizen, I was assisting only for a period of months. I have never heard anything like what you've read. I have no knowledge of it whatsoever, and I doubt it.

Senator BYRD. You doubt what?

Secretary RUMSFELD. The questions you've posed as to whether the United States of America assisted Iraq with the elements that you listed in your reading of *Newsweek* and that we could conceivably now be reaping what we've sown. I doubt both.

Senator BYRD. Are you surprised at what I've said? Are you surprised at this story in *Newsweek*?

Secretary RUMSFELD. I guess I'm at an age and circumstance in life where I'm no longer surprised about what I hear in the newspapers and the magazines.

Senator BYRD. No, that's not the question. I'm of that age, too, somewhat older than you.

Secretary RUMSFELD. Not much.

Senator BYRD. How about that story I've read?

Secretary RUMSFELD. I see stories all the time that are flat wrong. I just don't know.

Senator BYRD. What about this story? This story specifically.

Secretary RUMSFELD. I have not read it. I listened carefully to what you said, and I doubt it.

Senator BYRD. All right. Now, *The Washington Post* reported this morning that the United States is stepping away from efforts to strengthen the Biological Weapons Convention. Are we not sending exactly the wrong signal to the world at exactly the wrong time? Doesn't this damage our credibility in the international community at the very time that we are seeking their support to neutralize the threat of Iraq's biological weapons program?

If we supplied, as the *Newsweek* article said, the building blocks for germ and chemical warfare to this madman, this psychopath, in the first place, how do we look to the world to be backing away from this effort to control it at this point?

Secretary RUMSFELD. Well, Senator, I think it would be a shame to leave this committee and the people listening with the impression that the United States assisted Iraq with chemical or biological weapons in the 1980s. I just do not believe that's the case.

Senator BYRD. Well, are you saying that the *Newsweek* article is inaccurate?

Secretary RUMSFELD. I am saying precisely what I said, that I didn't read the *Newsweek* article, but that I doubt its accuracy.

Senator BYRD. I'll be glad to send you up a copy.

Secretary RUMSFELD. I was not in Government at that time, except as a special envoy for a period of months, so one ought not to rely on me as the best source as to what happened in that mid-1980s period that you were describing.

I will say one other thing. On two occasions, when you read that article, you mentioned the IAEC, which, as I recall, is the International Atomic Energy Commission, and some of the things that you were talking about were provided to them, which I found quite confusing, to be honest.

With respect to the biological weapons convention, I was not aware that the United States Government had taken a position with respect to it. It's not surprising, because it's a matter for the Department of State, not the Department of Defense. If, in fact, they have indicated, as *The Washington Post* reports, that they are not going to move forward with an enforcement regime, it's not my place to discuss the administration's position when I don't know what it is. But I can tell you from a personal standpoint, my recollection is that the biological convention never was anticipated that there would even be thought of to have an enforcement regime, that an enforcement regime where there are a lot of countries involved who were on the terrorist lists who were participants in that convention, that the United States has, over a period of administrations, believed that it would not be a good idea, because the United States would be a net loser from an enforcement regime. But that is not the administration's position. I just don't know what the administration's position is.

Chairman LEVIN. We're going to have to leave it there, because you are over time.

Senator BYRD. This is a very important question.

Chairman LEVIN. It is, indeed, but you're over time. I agree with you on the importance, but you're over time, Senator.

Senator BYRD. I know I'm over time, but are we going to leave this question out there dangling?

Chairman LEVIN. Well, just one last question.

Senator BYRD. I ask unanimous consent that I may have an additional 5 minutes.

Chairman LEVIN. No, I'm afraid we can't do that. Well, wait a minute. Ask unanimous consent, I can't stop you from doing that.

Senator INHOFE. I object. [Laughter.]

Senator BYRD. Mr. Chairman.

Chairman LEVIN. Just one last question. Would that be all right? Senator Byrd, if you could just take one additional question.

Senator BYRD. Now, I've been in this Congress 50 years. I've never objected to another Senator having a few additional minutes.

Now, Mr. Chairman, I think that the Secretary should have a copy of this story from *Newsweek* that I've been querying him about. I think he has a right to look at that. [Laughter.]

Chairman LEVIN. Could somebody take that out to the Secretary?

Senator BYRD. Very well.

Now, while that's being given to the Secretary, Mr. Secretary, I think we're put into an extremely bad position before the world today if we're going to walk away from an international effort to strengthen the biological weapons convention against germ warfare, advising our allies that the U.S. wants to delay further discussions until 2006, especially in the light of the *Newsweek* story. I think we bear some responsibility.

Senator INHOFE. Mr. Chairman, point of order.

Chairman LEVIN. Could we just have this be the last question? If you would just go along with us, please, Senator Inhofe.

Senator INHOFE. I would only say, though, in all respect to the Senator from West Virginia, we have a number of Senators here, we have a limited time of 6 minutes each, and we're entitled to

have our 6 minutes. This should be a short question if it's the last question.

Chairman LEVIN. If we could just make that the last question and answer, I would appreciate it. The Chair would appreciate the cooperation of all Senators.

Secretary Rumsfeld, could you answer that question, please?

Secretary RUMSFELD. I'll do my best. Senator, I just am glancing at this, and I hesitate to do this because I have not read it carefully, but it says here that, "According to confidential Commerce Department export control documents obtained by *Newsweek*, the shopping list included." It did not say that there were deliveries of these things. It said that Iraq asked for these things. It talks about a shopping list.

Second, in listing these things, it says that they wanted "television cameras for video-surveillance applications, chemical-analysis equipment for the Iraq Atomic Energy Commission, the IAEC," and that may very well be the Iraqi Atomic Energy Commission, which would mean that my earlier comment would not be correct, because I thought it was the International Atomic Energy Commission. This seems to indicate it's the Iraq Atomic Energy Commission.

Senator BYRD. Mr. Chairman, may I say to my friend from Oklahoma, I'm amazed that he himself wouldn't yield me time for this important question. I would do the same for him.

Mr. Chairman, I would like to ask—

Senator CLELAND. I yield my 5 minutes, Senator.

Senator BYRD. I thank the distinguished Senator.

Mr. Chairman, I ask the Secretary to review Pentagon records to see if the *Newsweek* article is true or not. Will the Secretary do that?

Secretary RUMSFELD. It appears that they are Department of Commerce records, as opposed to Pentagon, but I can certainly ask that the Department of Commerce and, to the extent it's relevant, the Department of State look into it and see if we can't determine the accuracy or inaccuracy of some aspects of this, yes, sir.

Chairman LEVIN. We'll go one step further than that. I think the request is that the Defense Department search its records. Will you do that?

Secretary RUMSFELD. We'll be happy to search ours, but this refers to the Commerce Department.

Chairman LEVIN. We will ask the State Department and the Commerce Department to do the same thing.

Secretary RUMSFELD. Fine. We'd be happy to.

[The information referred to follows:]

#### HOW SADDAM HAPPENED

NEWSWEEK—SEPTEMBER 23, 2002

*By Christopher Dickey and Evan Thomas; With Mark Hosenball, Roy Gutman and John Barry*

The last time Donald Rumsfeld saw Saddam Hussein, he gave him a cordial handshake. The date was almost 20 years ago, December 20, 1983; an official Iraqi television crew recorded the historic moment. The once and future Defense secretary, at the time a private citizen, had been sent by President Ronald Reagan to Baghdad as a special envoy. Saddam Hussein, armed with a pistol on his hip, seemed "vigor-

ous and confident,” according to a now declassified State Department cable obtained by *Newsweek*. Rumsfeld “conveyed the President’s greetings and expressed his pleasure at being in Baghdad,” wrote the notetaker. Then the two men got down to business, talking about the need to improve relations between their two countries. Like most foreign-policy insiders, Rumsfeld was aware that Saddam was a murderous thug who supported terrorists and was trying to build a nuclear weapon. (The Israelis had already bombed Iraq’s nuclear reactor at Osirak.) But at the time, America’s big worry was Iran, not Iraq. The Reagan administration feared that the Iranian revolutionaries who had overthrown the shah (and taken hostage American diplomats for 444 days in 1979–81) would overrun the Middle East and its vital oil fields. On the theory that the enemy of my enemy is my friend, the Reaganites were seeking to support Iraq in a long and bloody war against Iran. The meeting between Rumsfeld and Saddam was consequential: for the next 5 years, until Iran finally capitulated, the United States backed Saddam’s armies with military intelligence, economic aid and covert supplies of munitions.

Rumsfeld is not the first American diplomat to wish for the demise of a former ally. After all, before the cold war, the Soviet Union was America’s partner against Hitler in World War II. In the real world, as the saying goes, nations have no permanent friends, just permanent interests. Nonetheless, Rumsfeld’s long-ago interlude with Saddam is a reminder that today’s friend can be tomorrow’s mortal threat. As President George W. Bush and his war cabinet ponder Saddam’s successor’s regime, they would do well to contemplate how and why the last three presidents allowed the Butcher of Baghdad to stay in power so long.

The history of America’s relations with Saddam is one of the sorrier tales in American foreign policy. Time and again, America turned a blind eye to Saddam’s predations, saw him as the lesser evil or flinched at the chance to unseat him. No single policymaker or administration deserves blame for creating, or at least tolerating, a monster; many of their decisions seemed reasonable at the time. Even so, there are moments in this clumsy dance with the Devil that make one cringe. It is hard to believe that, during most of the 1980s, America knowingly permitted the Iraq Atomic Energy Commission to import bacterial cultures that might be used to build biological weapons. But it happened.

America’s past stumbles, while embarrassing, are not an argument for inaction in the future. Saddam probably is the “grave and gathering danger” described by President Bush in his speech to the United Nations last week. It may also be true that “whoever replaces Saddam is not going to be worse,” as a senior administration official put it to *Newsweek*. But the story of how America helped create a Frankenstein monster it now wishes to strangle is sobering. It illustrates the power of wishful thinking, as well as the iron law of unintended consequences.

America did not put Saddam in power. He emerged after two decades of turmoil in the 1960s and 1970s, as various strongmen tried to gain control of a nation that had been concocted by British imperialists in the 1920s out of three distinct and rival factions, the Sunnis, Shiites and the Kurds. But during the cold war, America competed with the Soviets for Saddam’s attention and welcomed his war with the religious fanatics of Iran. Having cozied up to Saddam, Washington found it hard to break away—even after going to war with him in 1991. Through years of both tacit and overt support, the West helped create the Saddam of today, giving him time to build deadly arsenals and dominate his people. Successive administrations always worried that if Saddam fell, chaos would follow, rippling through the region and possibly igniting another Middle East war. At times it seemed that Washington was transfixed by Saddam.

The Bush administration wants to finally break the spell. If the administration’s true believers are right, Baghdad after Saddam falls will look something like Paris after the Germans fled in August 1944. American troops will be cheered as liberators, and democracy will spread forth and push Middle Eastern despotism back into the shadows. Yet if the gloomy predictions of the administration’s many critics come true, the Arab street, inflamed by Yankee imperialism, will rise up and replace the shaky but friendly autocrats in the region with Islamic fanatics.

While the Middle East is unlikely to become a democratic nirvana, the worst-case scenarios, always a staple of the press, are probably also wrong or exaggerated. Assuming that a cornered and doomed Saddam does not kill thousands of Americans in some kind of horrific *Gottterdammerung*—a scary possibility, one that deeply worries administration officials—the greatest risk of his fall is that one strongman may simply be replaced by another. Saddam’s successor may not be a paranoid sadist. But there is: no assurance that he will be America’s friend or forswear the development of weapons of mass destruction.

American officials have known that Saddam was a psychopath ever since he became the country’s *de facto* ruler in the early 1970s. One of Saddam’s early acts



after he took the title of president in 1979 was to videotape a session of his party's congress, during which he personally ordered several members executed on the spot. The message, carefully conveyed to the Arab press, was not that these men were executed for plotting against Saddam, but rather for thinking about plotting against him. From the beginning, U.S. officials worried about Saddam's taste for nasty weaponry; indeed, at their meeting in 1983, Rumsfeld warned that Saddam's use of chemical weapons might "inhibit" American assistance. But top officials in the Reagan administration saw Saddam as a useful surrogate. By going to war with Iran, he could bleed the radical mullahs who had seized control of Iran from the pro-American shah. Some Reagan officials even saw Saddam as another Anwar Sadat, capable of making Iraq into a modern secular state, just as Sadat had tried to lift up Egypt before his assassination in 1981.

But Saddam had to be rescued first. The war against Iran was going badly by 1982. Iran's "human wave attacks" threatened to overrun Saddam's armies. Washington decided to give Iraq a helping hand. After Rumsfeld's visit to Baghdad in 1983, U.S. intelligence began supplying the Iraqi dictator with satellite photos showing Iranian deployments. Official documents suggest that America may also have secretly arranged for tanks and other military hardware to be shipped to Iraq in a swap deal—American tanks to Egypt, Egyptian tanks to Iraq. Over the protest of some Pentagon skeptics, the Reagan administration began allowing the Iraqis to buy a wide variety of "dual use" equipment and materials from American suppliers. According to confidential Commerce Department export-control documents obtained by *Newsweek*, the shopping list included a computerized database for Saddam's Interior Ministry (presumably to help keep track of political opponents); helicopters to transport Iraqi officials; television cameras for "video surveillance applications;" chemical-analysis equipment for the Iraq Atomic Energy Commission (IAEC), and, most unsettling, numerous shipments of "bacteria/fungi/protozoa" to the IAEC. According to former officials, the bacteria cultures could be used to make biological weapons, including anthrax. The State Department also approved the shipment of 1.5 million atropine injectors, for use against the effects of chemical weapons, but the Pentagon blocked the sale. The helicopters, some American officials later surmised, were used to spray poison gas on the Kurds.

The United States almost certainly knew from its own satellite imagery that Saddam was using chemical weapons against Iranian troops. When Saddam bombed Kurdish rebels and civilians with a lethal cocktail of mustard gas, sarin, tabun and VX in 1988, the Reagan administration first blamed Iran, before acknowledging, under pressure from congressional Democrats, that the culprits were Saddam's own forces. There was only token official protest at the time. Saddam's men were unfazed. An Iraqi audiotape, later captured by the Kurds, records Saddam's cousin Ali Hassan al-Majid (known as Ali Chemical) talking to his fellow officers about gassing the Kurds. "Who is going to say anything?" he asks. "The international community? F—them!"

The United States was much more concerned with protecting Iraqi oil from attacks by Iran as it was shipped through the Persian Gulf. In 1987, an Iraqi Exocet missile hit an American destroyer, the U.S.S. *Stark*, in the Persian Gulf, killing 37 crewmen. Incredibly, the United States excused Iraq for making an unintentional mistake and instead used the incident to accuse Iran of escalating the war in the gulf. The American tilt to Iraq became more pronounced. U.S. commandos began blowing up Iranian oil platforms and attacking Iranian patrol boats. In 1988, an American warship in the gulf accidentally shot down an Iranian Airbus, killing 290 civilians. Within a few weeks, Iran, exhausted and fearing American intervention, gave up its war with Iraq.

Saddam was feeling cocky. With the support of the West, he had defeated the Islamic revolutionaries in Iran. America favored him as a regional pillar; European and American corporations were vying for contracts with Iraq. He was visited by congressional delegations led by Sens. Bob Dole of Kansas and Alan Simpson of Wyoming, who were eager to promote American farm and business interests. But Saddam's megalomania was on the rise, and he overplayed his hand. In 1990, a U.S. Customs sting operation snared several Iraqi agents who were trying to buy electronic equipment used to make triggers for nuclear bombs. Not long after, Saddam gained the world's attention by threatening "to bum Israel to the ground." At the Pentagon, analysts began to warn that Saddam was a growing menace, especially after he tried to buy some American-made high-tech furnaces useful for making nuclear-bomb parts. Yet other officials in Congress and in the Bush administration continued to see him as a useful, if distasteful, regional strongman. The State Department was equivocating with Saddam right up to the moment he invaded Kuwait in August 1990.

Some American diplomats suggest that Saddam might have gotten away with invading Kuwait if he had not been quite so greedy. "If he had pulled back to the Mutla Ridge [overlooking Kuwait City], he'd still be there today," one ex-ambassador told *Newsweek*. Even though President George H. W. Bush compared Saddam to Hitler and sent a half-million-man Army to drive him from Kuwait, Washington remained ambivalent about Saddam's fate. It was widely assumed by policymakers that Saddam would collapse after his defeat in Operation Desert Storm, done in by his humiliated officer corps or overthrown by the revolt of a restive minority population. But Washington did not want to push very hard to topple Saddam. The gulf war, Bush I administration officials pointed out, had been fought to liberate Kuwait, not oust Saddam. "I am certain that had we taken all of Iraq, we would have been like the dinosaur in the tar pit—we would still be there," wrote the American commander in Operation Desert Storm, Gen. Norman Schwarzkopf, in his memoirs. America's allies in the region, most prominently Saudi Arabia, feared that a post-Saddam Iraq would splinter and destabilize the region. The Shiites in the south might bond with their fellow religionists in Iran, strengthening the Shiite mullahs, and threatening the Saudi border. In the north, the Kurds were agitating to break off parts of Iraq and Turkey to create a Kurdistan. So Saddam was allowed to keep his tanks and helicopters—which he used to crush both Shiite and Kurdish rebellions.

The Bush administration played down Saddam's darkness after the gulf war. Pentagon bureaucrats compiled dossiers to support a war-crimes prosecution of Saddam, especially for his sordid treatment of POWs. They documented police stations and "sports facilities" where Saddam's henchmen used acid baths and electric drills on their victims. One document suggested that torture should be "artistic." But top Defense Department officials stamped the report secret. One Bush administration official subsequently told *The Washington Post*, "Some people were concerned that if we released it during the [1992 presidential] campaign, people would say, Why don't you bring this guy to justice?" (Defense Department aides say politics played no part in the report.)

The Clinton administration was no more aggressive toward Saddam. In 1993, Saddam apparently hired some Kuwaiti liquor smugglers to try to assassinate former president Bush as he took a victory lap through the region. According to one former U.S. ambassador, the new administration was less than eager to see an open-and-shut case against Saddam, for fear that it would demand aggressive retaliation. When American intelligence continued to point to Saddam's role, the Clintonites lobbed a few cruise missiles into Baghdad. The attack reportedly killed one of Saddam's mistresses, but left the dictator defiant.

The American intelligence community, under orders from President Bill Clinton, did mount covert actions aimed at toppling Saddam in the 1990s, but by most accounts they were badly organized and halfhearted. In the north, CIA operatives supported a Kurdish rebellion against Saddam in 1995. According to the CIA's man on the scene, former case officer Robert Baer, Clinton administration officials back in Washington "pulled the plug" on the operation just as it was gathering momentum. The reasons have long remained murky, but according to Baer, Washington was never sure that Saddam's successor would be an improvement, or that Iraq wouldn't simply collapse into chaos. "The question we could never answer," Baer told *Newsweek*, "was, 'After Saddam goes, then what?'" A coup attempt by Iraqi Army officers fizzled the next year. Saddam brutally rolled up the plotters. The CIA operatives pulled out, rescuing everyone they could, and sending them to Guam.

Meanwhile, Saddam was playing cat-and-mouse with weapons of mass destruction. As part of the settlement imposed by America and its allies at the end of the gulf war, Saddam was supposed to get rid of his existing stockpiles of chem-bio weapons, and to allow in inspectors to make sure none were being hidden or secretly manufactured. The U.N. inspectors did shut down his efforts to build a nuclear weapon. But Saddam continued to secretly work on his germ- and chemical-warfare program. When the inspectors first suspected what Saddam was trying to hide in 1995, Saddam's son-in-law, Hussein Kamel, suddenly fled Iraq to Jordan. Kamel had overseen Saddam's chem-bio program, and his defection forced the revelation of some of the secret locations of Saddam's deadly labs. That evidence is the heart of the "white paper" used last week by President Bush to support his argument that Iraq has been defying U.N. resolutions for the past decade. (Kamel had the bad judgment to return to Iraq, where he was promptly executed, along with various family members.)

By now aware of the scale of Saddam's efforts to deceive, the U.N. arms inspectors were unable to certify that Saddam was no longer making weapons of mass destruction. Without this guarantee, the United Nations was unwilling to lift the economic sanctions imposed after the gulf war. Saddam continued to play "cheat and retreat"

with—the inspectors, forcing a showdown in December 1998. The United Nations pulled out its inspectors, and the United States and Britain launched Operation Desert Fox, four days of bombing that was supposed to teach Saddam a lesson and force his compliance.

Saddam thumbed his nose. The United States and its allies, in effect, shrugged and walked away. While the U.N. sanctions regime gradually eroded, allowing Saddam to trade easily on the black market, he was free to brew all the chem-bio weapons he wanted. Making a nuclear weapon is harder, and intelligence officials still believe he is a few years away from even regaining the capacity to manufacture enriched uranium to build his own bomb. If he can steal or buy ready-made fissile material, say from the Russian mafia, he could probably make a nuclear weapon in a matter of months, though it would be so large that delivery would pose a challenge.

As the Bush administration prepares to oust Saddam, one way or another, senior administration officials are very worried that Saddam will try to use his WMD arsenal. Intelligence experts have warned that Saddam may be “flushing” his small, easy-to-conceal biological agents, trying to get them out of the country before an American invasion. A vial of bugs or toxins that could kill thousands could fit in a suitcase—or a diplomatic pouch. There are any number of grim end-game scenarios. Saddam could try blackmail, threatening to unleash smallpox or some other grotesque virus in an American city if U.S. forces invaded. Or, like a cornered dog, he could lash out in a final spasm of violence, raining chemical weapons down on U.S. troops, handing out bioweapons to terrorists. “That’s the single biggest worry in all this,” says a senior administration official. “We are spending a lot of time on this,” said another top official.

Some administration critics have said, in effect, let sleeping dogs lie. Don’t provoke Saddam by threatening his life; there is no evidence that he has the capability to deliver weapons of mass destruction. Countered White House national security adviser Condoleezza Rice, “Do we wait until he’s better at it?” Several administration officials indicated that an intense effort is underway, covert as well as overt, to warn Saddam’s lieutenants to save themselves by breaking from the dictator before it’s too late. “Don’t be the fool who follows the last order” is the way one senior administration official puts it.

The risk is that some will choose to go down with Saddam, knowing that they stand to be hanged by an angry mob after the dictator falls. It is unclear what kind of justice would follow his fall, aside from summary hangings from the nearest lamppost.

The Bush administration is determined not to “overthrow one strongman only to install another,” a senior administration official told *Newsweek*. This official said that the president has made clear that he wants to press for democratic institutions, government accountability and the rule of law in post-Saddam Iraq. But no one really knows how that can be achieved. Bush’s advisers are counting on the Iraqis themselves to resist a return to despotism. “People subject to horrible tyranny have strong antibodies to anyone who wants to put them back under tyranny,” says a senior administration official. But as another official acknowledged, “a substantial American commitment” to Iraq is inevitable.

At what cost? Who pays? Will other nations chip in money and men? It is not clear how many occupation troops will be required to maintain order, or for how long. Much depends on the manner of Saddam’s exit: whether the Iraqis drive him out themselves, or rely heavily on U.S. power. Administration officials shy away from timetables and specifics but say they have to be prepared for all contingencies. “As General Eisenhower said, Every plan gets thrown out on the first day of battle. Plans are useless. Planning is everything,” said Vice President Cheney’s chief of staff, I. Lewis (Scooter) Libby.

It is far from clear that America will be able to control the next leader of Iraq, even if he is not as diabolical as Saddam. Any leader of Iraq will look around him and see that Israel and Pakistan have nuclear weapons and that Iran may soon. Just as England and France opted to build their own bombs in the cold war, and not depend on the U.S. nuclear umbrella, the next president of Iraq may want to have his own bomb. “He may want to, but he can’t be allowed to,” says a Bush official. But what is to guarantee that a newly rich Iraqi strongman won’t buy one with his nation’s vast oil wealth? In some ways, Iraq is to the Middle East as Germany was to Europe in the 20th century, too large, too militaristic and too competent to coexist peaceably with neighbors. It took two world wars and millions of lives to solve “the German problem.” Getting rid of Saddam may be essential to creating a stable, democratic Iraq. But it may be only a first step on a long and dangerous march.

Chairman LEVIN. We will also ask the Intelligence Committee to stage a briefing for all of us on that issue so that Senator Byrd has broached.

Senator BYRD. I thank the Chairman.

Chairman LEVIN. Thank you very much, Senator.

Senator BYRD. I thank the Secretary.

Secretary RUMSFELD. Thank you.

Chairman LEVIN. Senator Byrd, we will ask Senator Graham and Senator Shelby to hold a briefing on that subject, because it is a very important subject.

Senator BYRD. I thank the Chairman.

[The information referred to follows:]

The Washington Post

September 19, 2002, Thursday, Final Edition

SECTION: A SECTION; Pg. A01

LENGTH: 1106 words

HEADLINE: U.S. Drops Bid to Strengthen Germ Warfare Accord

BYLINE: Peter Slevin, Washington Post Staff Writer

BODY:

The Bush administration has abandoned an international effort to strengthen the Biological Weapons Convention against germ warfare, advising its allies that the United States wants to delay further discussions until 2006. A review conference on new verification measures for the treaty had been scheduled for November.

Less than a year after a State Department envoy abruptly pulled out of biowarfare negotiations in Geneva, promising that the United States would return with new proposals, the administration has concluded that treaty revisions favored by the European Union and scores of other countries will not work and should not be salvaged, administration officials said yesterday.

The decision, which has been conveyed to allies in recent weeks, has been greeted with warnings that the move will weaken attempts to curb germ warfare programs at a time when biological weapons are a focus of concern because of the war on terrorism and the administration's threats to launch a military campaign against Iraq. It also comes as the administration, which has angered allies by rejecting a series of multilateral agreements, is appealing to the international community to work with it in forging a new U.N. Security Council resolution on Iraq's programs to develop weapons of mass destruction.

The 1972 Biological Weapons Convention, which has been ratified by the United States and 143 other countries, bans the development, stockpiling and production of germ warfare agents, but has no enforcement mechanism. Negotiations on legally binding measures to enforce compliance have been underway in Geneva for seven years.

The administration stunned its allies last December by proposing to end the negotiators' mandate, saying that while the treaty needed strengthening, the enforcement protocol under discussion would not deter enemy nations from acquiring or developing biological weapons if they were determined to do so. Negotiators suspended the discussions, saying they would meet again in November when U.S. officials said they would return with creative solutions to address the impasse.

Instead, U.S. envoys are now telling allies that the administration's position is so different from the views of the leading supporters of the enforcement protocol that a meeting would dissolve into public

squabbling and should be avoided, administration officials said. Better, they said, to halt discussions altogether.

"It's based on an incorrect approach. Our concern is that it would be fundamentally ineffective," a State Department official said. Another administration official said the "best and least contentious" approach would be to hold a very brief meeting in November -- or even no meeting at all -- and talk again when the next review is scheduled four years from now.

Amy Smithson, a biological and chemical weapons specialist, said the administration is making a mistake by halting collaborative work to strengthen the convention. "It sounds to me as though they've thrown the baby out with the bath water," said Smithson, an analyst at the Henry L. Stimson Center. "The contradiction between the rhetoric and what the administration is actually doing -- the gulf is huge. Not a day goes by when they don't mention the Iraq threat."

The Stimson Center is releasing a report today that criticizes the U.S. approach to the convention. Drawn from a review by 10 pharmaceutical companies and biotechnology experts, the document argues that bioweapons inspections can be effective with the right amount of time and the right science and urges the administration to develop stronger measures.

"To argue that this wouldn't be a useful remedy would just be a mistake. I think it's because they're looking through the wrong end of the telescope," said Matthew Meselson, a Harvard biologist who helped draft a treaty to criminalize biological weapons violations. "We're denying ourselves useful tools."

The administration has focused publicly on a half-dozen countries identified by the State Department as pursuing germ warfare programs. Undersecretary of State John R. Bolton said the existence of Iraq's bioweapons project is "beyond dispute." The U.S. government also believes Iran, North Korea, Sudan, Libya and Syria are developing such weapons, he said.

Meselson concurred with the administration's position that a limited enforcement provision for the bioweapons treaty could not provide confidence that countries are staying clean. But he said that a pact establishing standards and verification measures would deter some countries while also helping to build norms of international behavior.

Bolton, on the other hand, told delegates to last year's review conference that "the time for 'better-than-nothing' protocols is over. We will continue to reject flawed texts like the BWC draft protocol, recommended to us simply because they are the product of lengthy negotiations or arbitrary deadlines, if such texts are not in the best interests of the United States."

With only hours to go at the meeting, Bolton stopped U.S. participation in the final negotiations. He said of the resulting one-year delay, "This gives us time to think creatively on alternatives."

In Bolton's view, each country should develop criminal laws against germ warfare activities, develop export controls for dangerous pathogens, establish codes of conduct for scientists and install strict biosafety procedures. The administration has proposed that governments resolve disputes over biowarfare violations among themselves, perhaps through voluntary inspections or by referral to the United Nations secretary general.

Such an approach is "at best ineffectual," said the specialists gathered by

the Stimson Center. At worst, they concluded, the approach could damage U.S. interests because it would not be structured to deliver "meaningful monitoring."

"If a challenge inspection system is not geared to pursue violators aggressively, then it does not serve U.S. security interests," the 65-page report states. The participants strongly favored establishing mandatory standards backed by penalties and "robust" inspections, which goes significantly further than the proposed protocol backed by the EU and other nations.

The State Department Web site has not yet been changed to reflect the change in policy. It says, "The United States is committed to strengthening the BWC as part of a comprehensive and multidisciplinary strategy for combating the proliferation of weapons of mass destruction and international terrorism. . . . We would like to share these ideas with our international partners."

Chairman LEVIN. Senator Sessions.

Senator SESSIONS. Thank you, Mr. Chairman.

Mr. Secretary and General Myers, thank you for your leadership. The American people have been comforted with your wisdom and judgment, your honesty and directness as we've moved for months now since September 11. You've had a consistent message about the danger of Iraq in recent months. There's been no mystery about it. You've been open with the world, the American people, and Congress of the United States. So it's getting time for Congress to act. I appreciate the fact you are asking for that, and I hope, as Senator Warner has noted, that we take as many hearings as we need, that we debate it fully, but we need to assert whether or not we're going to develop support for the policies that have been articulated by the President of the United States.

Mr. Secretary, I noticed that in the letter that Saddam Hussein wrote that he would acquiesce on inspections, and he said he would do it unconditionally. He also notes explicitly that he subjects that openness to the territorial integrity and sovereignty of the Nation of Iraq.

Now, I don't know precisely how legal historians would account for it, but in 1991 it seemed to me that Saddam Hussein basically sued for peace. He gave up his sovereign rights in order to preserve his regime from destruction, and it was on the eve of destruction. He said that he would renounce and stop weapons of mass destruction, destroy those weapons, and we could allow inspections to prove that he was telling the truth. He did that because he virtually had no other choice. The U.N. backed up his claim with resolutions, the United States cooperated, and so forth.

But do you see, with the very document itself, this letter in which he offers in one paragraph "unconditional inspections," and later on he says it's subject to his territorial integrity and his sovereignty, that there is an internal contradiction there?

Secretary RUMSFELD. Senator, this is a matter that the Department of State and Secretary Powell are dealing with, and, therefore, I am not as current as I should be. I do see several things that at least need exploration, and it may very well be that one could characterize them as inconsistent. One is the point you made; within the very four corners of the letter, there seemed to be inconsistencies. It's a matter for Secretary Powell to worry through with the Iraqis and the U.N.

Second, the speech that was made today by, according to my materials, the Iraqi foreign minister contained at least the conditions and qualifications.

Third, if Iraq has decided to be in a mode of allowing inspections, there are two types. There are ground inspections and air inspections. As I indicated in my opening statement in the last three days since the letter you're referring to was delivered, the Iraqis have fired on coalition air forces somewhere between 15 and 20 times, at U.S. and British pilots, who are enforcing U.N. resolutions and flying in the northern and southern so-called no-fly zones.

Senator SESSIONS. I would agree that many indicators tell us that this is, I believe as the Chairman indicated, more likely a ruse than a sincere offer of inspections. That puts the United Nations ultimately in a very important position. They have a moral responsibility, in my view, not to dodge this question. They have a moral and, really, legal responsibility to confront what would appear to any fair observer a consistent violation of the resolutions they passed and they approved for the salvation of the Saddam Hussein regime.

So I feel strongly about that. I think the President correctly, giving a decent respect to the opinions of mankind, made his speech to the U.N. and stated his case, but I do believe that ultimately one veto in the U.N. Security Council shouldn't obstruct us from doing what we may have to do, unfortunately, before it's over.

General Myers, are you satisfied with where we are in terms of our military capabilities and our weaponry, such as our smart weapons, to conduct this war effectively, if it so comes?

General MYERS. Senator Sessions, from about a year ago from last October until the end of this August—we have approximately 10,000 more precision munitions than we had a year ago, and we've—thanks to Congress' help—facilitized industry to essentially produce at the highest rate they're capable of. That rate will continue to increase, and I think we don't get their highest rate for about another year yet. But we watch that inventory very, very carefully. We watch where they are. As I said earlier in my remarks, I think we have the right equipment and, especially, the people to do the job.

Senator SESSIONS. Well, I thank you for that positive report about the willingness and capability of our military forces. They are the world's best people. Many Americans still envision war as it has been in the past, soldiers charging machine gun nests with hand grenades. I know your doctrine is to avoid those kind of things as much as possible, to maximize the military capability of our soldiers while minimizing their risk. Thank you for what you do.

Thank you, Mr. Secretary, for pushing to transform our military to make it even more capable in this new, modern world of warfare.

Thank you very much.

Chairman LEVIN. Thank you, Senator Sessions.

Senator Cleland.

Senator CLELAND. Mr. Secretary, reflecting on his two tours in Vietnam, Secretary of State Colin Powell wrote in his 1995 memoirs, "Many of my generation, the career captains, majors, and lieutenant colonels seasoned in that war vowed that when our turn

came to call the shots, we would not quietly acquiesce in half-hearted warfare for half-baked reasons that the American people could not understand or support.”

Mr. Secretary, as one of the young captains in that war, I also cannot acquiesce in half-hearted warfare for half-baked reasons that the American people cannot understand or support.

In his excellent book on the Vietnam War, Colonel Harry Summers wrote, “The first principle of war is the principle of the objective. It’s the first principle because all else flows from it.” He said, “Prior to any future commitment of U.S. military forces, our military leaders must insist that the civilian leadership provide tangible, obtainable goals. The objective cannot merely be a platitude, but must be stated in concrete terms.”

Mr. Secretary, it does seem to me that in the wake of September 11, our mission in this country, and certainly the number-one mission of the United States military, is to go after those who came after us September 11. That’s been my concern all along. As someone who grew up in a household where my father had served at Pearl Harbor after the attack, I’m well aware of this country’s great response to that attack that day of infamy, and it took us 3 years to ultimately shoot down the man who planned that attack, Admiral Yamamoto. But we ultimately found him, and we ultimately killed him.

It does seem to me our objective, our number one objective, is to kill or capture Osama bin Laden and his terrorist cadre, and that is what we ought to be about in our number one objective in the use of American military force. My concern is that the last time you testified before this committee, you said you didn’t know where Osama bin Laden was. It’s painfully obvious we have not captured or killed his terrorist cadre and that they are still at large. We’re still trying to roll up their cells around the world, including in America today.

My concern, Mr. Secretary, is that we’re shifting the objective here. The President came to Congress last year and got Congress unanimously to support—and I supported—going after those who came after us. In his inimitable phrase I remember, he said, “We will bring them to justice, or justice will come to them.” Since that time, we’ve brought justice, in many ways, to Afghanistan but we haven’t nailed our number one objective.

Mr. Secretary, is that still your number one objective in terms of this war on terrorism?

Secretary RUMSFELD. Senator, it seems to me that the number one objective was not to find a person and kill a person. It’s not about retribution or retaliation. The task that the President set out for the global war on terrorism was to put pressure on terrorist networks and countries that provide a safe haven for terrorist networks. That is what he has been doing. With 90 countries cooperating, we have put a substantial amount of pressure on al Qaeda. They are having much more difficulty recruiting, retaining their people, planning, moving between countries, and raising money.

Now, you’re quite right, we don’t know if Osama bin Laden is dead or alive. We do know he’s not active. We haven’t heard hide nor hair of him since December. That is not a surprise. Finding one



person is a needle in a haystack, and it's a big world, and he may very well be alive. He may be incapacitated. He may be dead.

But the truth is that regardless of what he is, his network is in duress. It's difficult. It could commit a terrorist act in some country—this country or another country—tomorrow, but it is under pressure, let there be no doubt. That was what the global war on terrorism was about.

The President described it as an iceberg, that much will be happening below the surface of the sea. We've got wonderful people, in uniform and out of uniform, in the Department of Defense, Central Intelligence Agency, Department of State, Department of Treasury, and in 90 countries working on this problem. As you properly said, in the one case where there was heavy kinetic activity, there's been substantial success. The Taliban are gone. They're not training thousands of more terrorists in Afghanistan to the great benefit of the world.

Therefore, I guess I would just say my number one priority was to do what we're doing. The fact that Osama bin Laden may or may not be alive does not mean that that is a failure at all. Indeed, it's being quite successful in my view.

Senator CLELAND. The military people that I talk to, both on active duty and who have been on active duty, people that are respected, are very concerned that if we have a major military engagement in Iraq, it will only take away from what I consider our number one military objective. How do you respond to that?

Secretary RUMSFELD. Yes, sir. As I said earlier, I think you can find military people who feel that, and I think you can find a lot of military people who don't feel that way. Partly, it's whether or not you think dealing with the problems of weapons of mass destruction potentially in the hands of terrorist networks is part of the global war on terrorism.

I can't imagine suggesting that dealing with Saddam Hussein's weapons of mass destruction, as the President's attempting to do, is a distraction from the global war on terrorism. It's part of the global war on terrorism. That's my view.

Senator CLELAND. In terms of the objective in Iraq, is that the objective from which all else falls or flows? Is the objective the dismantlement, the dismembering, or the elimination of his weapons of mass destruction manufacturing sites? Then if we accomplish that, has the objective been reached?

Secretary RUMSFELD. There is no question that that nexus is worrisome and would be a critical element. If you did that, if you were on the ground and—in whatever way, peacefully or not peacefully—you were able to find all of the manufacturing, storage, and weaponized capabilities involving chemical, biological, or nuclear weapons, and you still had that regime, Saddam Hussein's regime, which we know intends to have those weapons, is determined to have those weapons, you would have accomplished the immediate problem. However, you would have left in place a regime that would go right back, in my view, to developing additional weapons and threatening its neighbors and repressing its people.

So it seems to me if one were to, out of necessity, have to get the weapons of mass destruction in the most difficult possible way and the least desirable way, through force, obviously, and you had

done that, one would think that you would care about—at least I would hope our country would decide to care sufficiently about—the Iraqi people and the neighbors there, that the government that replaced that regime would be a government that would have a single country and would not threaten its neighbors, would not have weapons of mass destruction, and would provide reasonable opportunities for the ethnic minorities that exist in that country, not repress them.

Senator CLELAND. My time is up, Mr. Chairman.

Chairman LEVIN. Thank you, Senator Cleland.

Senator COLLINS.

Senator COLLINS. Thank you, Mr. Chairman.

Mr. Secretary, in the first 5 years of the weapons inspections in the 1990s, UNSCOM had considerable success in detecting and dismantling Iraq's weapons of mass destruction programs, including numerous sites. For example, there were three clandestine uranium enrichment programs and a biological weapons facility south of Baghdad. Obviously, later in the decade, the inspections became increasingly ineffective and eventually ceased. But at one point, over a number of years, the inspectors did make considerable progress.

Your testimony today seems to dismiss altogether the use of inspections. While all of us are understandably skeptical, given Iraq's history, the knowledge that he will otherwise be obliterated gives Saddam a powerful incentive to comply. Shouldn't we at least pursue unfettered rigorous inspections before resorting to military force?

Secretary RUMSFELD. Senator, I don't read my testimony to be dismissive of the use of inspections. I think I said that there is a place for inspections in our world. Unless there's a government that is willing to allow unfettered inspections, has made a decision to disarm, and offers assistance to that process because their goal is to tell the world that they have, in fact, done that, then inspections are very difficult.

Now, you're quite right. In the early period of UNSCOM, there were significant successes in a number of instances because of defectors helping them and cuing them as to where to go to look. However, UNSCOM also announced—I believe it was UNSCOM, before UNMOVIC—that they could not account for enormous volumes of chemical and biological weapons. In their report, as they demonstrated their successes, they simultaneously demonstrated their failures and said, "We can't find them. We don't know where they are. We can't find defectors to tell us where they are, and there's no way on the earth that the Iraqi regime is going to be able to demonstrate where they are." So it was a mixed picture.

I quite agree there's a role for inspections in our world, but it seem to me that we've gone through 11 years, and one has to approach it, as you suggest, with a good deal of caution. I should add that the Iraqis have not offered unfettered inspections.

Senator COLLINS. You have stated previously that there are al Qaeda terrorists hiding in Iraq. I have two questions to follow up on those statements. One, is there evidence that Saddam Hussein or other high Iraqi officials are actually sheltering members of al

Qaeda? Second, is there evidence, any evidence, that Saddam has conspired or is conspiring with members of al Qaeda?

Secretary RUMSFELD. I'd be happy to give you that information in the closed session, which is supposed to follow this one, but there is no question that there are al Qaeda in Iraq in more than one location—there have been for a good long period—and the implication or suggestion that a vicious, repressive dictatorship that watches almost everything that happens in this country could not be unaware of al Qaeda operatives functioning in their country.

Senator COLLINS. The State Department, just last year, issued a report listing the nations that are supporting terrorism. The State Department said that, once again, Iran remained the most active state sponsor of terrorism in 2001. What differentiates the activities of the regime in Iraq from those in Iran, given that the State Department has placed Iran ahead of Iraq as far as its support of terrorism and, in addition, we know that Iran also is pursuing weapons of mass destruction?

Secretary RUMSFELD. You're quite right, Senator, that both countries have active chemical, biological, and nuclear programs. There's also no question that the State Department report is correct; the Iranians are currently harboring reasonably large numbers of al Qaeda, and they're trying to keep that information from the bulk of their population. The al Qaeda are functioning in that country, both transiting and located and operating.

Second, Iran is, without question, sending money and weapons and people down to Damascus, Syria, down to Beirut, Lebanon to engage in terrorist acts in that region, including against Israel.

What's the difference? One difference is that there are 16 resolutions of the United Nations that Iraq has violated. The international community has been told by Iraq that it's irrelevant.

A second thing that's different is that as much as I would like to see it, I do not believe that it's likely that in Iraq you would have the people able to overthrow the government. In the case of Iran, that country spun on a dime and went from the Shah of Iran to the ayatollahs some years back.

If one looks at what's taking place there today, particularly since President Bush's speech, "The Axis of Evil," where he spoke to the Iranian people and demonstrated the world's concern about how they're being treated, they're being ruled by a small clique of clerics, which the women and the young people in that country don't like, and they have an awareness of what's taking place in the rest of the world.

I do worry about their weapon programs. I do worry about their proliferation. I also think there is at least a chance that that country could change its regime from inside, and it would be a wonderful thing for the Iranian people and the world if it did.

Senator COLLINS. Thank you, Mr. Chairman.

Chairman LEVIN. Thank you, Senator Collins.

Senator REED.

Senator REED. Thank you, Mr. Chairman. Thank you, Mr. Secretary.

We have been in conflict and confrontation with Iraq for over 10 years. It's been a process of thrust and parry. As you point out in your testimony, they have been quite adroit maneuvering, particu-

larly diplomatically. It seems to me that their strategy, today, is to invite, as quickly as possible, inspectors into Iraq, to cooperate, although I would concede—and I think you would agree—that the cooperation would be self-serving, cynical, and transient. But that poses a real problem to anyone contemplating operations against Iraq, that such operations might be in the context of the presence of U.N. inspectors in Iraq, who might even concede or admit or perceive cooperation.

I want to ask two questions. First, are you familiar with the authorization language that was sent up to us this afternoon by the White House?

Secretary RUMSFELD. No, I'm not. Someone handed it to me when I walked up here.

Senator REED. Let me read it.

Secretary RUMSFELD. You mean the resolution?

Senator REED. I'll read it to you. "The President is authorized to use all means that he determines to be appropriate, including force, in order to enforce the United Nations Security Council Resolutions referenced above, defend the national security interests of the United States against the threat posed by Iraq, and restore international peace and security in the region."

[The information referred to follows:]

THE WHITE HOUSE  
WASHINGTON

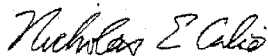
September 19, 2002

Dear Speaker Hastert, Leader Daschle, Leader Lott, and Leader Gephardt,

As a follow-up to your discussion yesterday morning with the President, we enclose a suggested form of resolution with respect to Iraq. We stand ready to meet with you or your staffs to discuss our proposal.

As the President indicated to you, it is our hope that we can reach early agreement on the proposal at the leadership level to allow you to proceed to consider the resolution in your respective chambers as soon as possible.

Sincerely,



Nicholas E. Calio  
Assistant to the President for  
Legislative Affairs



Alberto R. Gonzales  
Counsel to the President

The Honorable J. Dennis Hastert  
Speaker of the House of Representatives  
Washington, DC 20515

The Honorable Thomas A. Daschle  
Majority Leader  
United States Senate  
Washington, DC 20510

The Honorable Trent Lott  
Minority Leader  
United States Senate  
Washington, DC 20510

The Honorable Richard A. Gephardt  
Minority Leader  
House of Representatives  
Washington, DC 20515

## Joint Resolution

To authorize the use of United States Armed Forces against Iraq.

Whereas Congress in 1998 concluded that Iraq was then in material and unacceptable breach of its international obligations and thereby threatened the vital interests of the United States and international peace and security, stated the reasons for that conclusion, and urged the President to take appropriate action to bring Iraq into compliance with its international obligations (Public Law 105-235);

Whereas Iraq remains in material and unacceptable breach of its international obligations by, among other things, continuing to possess and develop a significant chemical and biological weapons capability, actively seeking a nuclear weapons capability, and supporting and harboring terrorist organizations, thereby continuing to threaten the national security interests of the United States and international peace and security;

Whereas Iraq persists in violating resolutions of the United Nations Security Council by continuing to engage in brutal repression of its civilian population, including the Kurdish peoples, thereby threatening international peace and security in the region, by refusing to release, repatriate, or account for non-Iraqi citizens wrongfully detained by Iraq, and by failing to return property wrongfully seized by Iraq from Kuwait;

Whereas the current Iraqi regime has demonstrated its capability and willingness to use weapons of mass destruction against other nations and its own people;

Whereas the current Iraqi regime has demonstrated its continuing hostility toward, and willingness to attack, the United States, including by attempting in 1993 to assassinate former President Bush and by firing on many thousands of occasions on United States and Coalition Armed Forces engaged in enforcing the resolutions of the United Nations Security Council;

Whereas members of al Qaida, an organization bearing responsibility for attacks on the United States, its citizens, and interests, including the attacks that occurred on September 11, 2001, are known to be in Iraq;

Whereas Iraq continues to aid and harbor other international terrorist organizations, including organizations that threaten the lives and safety of American citizens;

Whereas the attacks on the United States of September 11, 2001 underscored the gravity of the threat that Iraq will transfer weapons of mass destruction to international terrorist organizations;

Whereas the United States has the inherent right, as acknowledged in the United Nations Charter, to use force in order to defend itself;

Whereas Iraq's demonstrated capability and willingness to use weapons of mass destruction, the high risk that the current Iraqi regime will either employ those weapons to launch a surprise attack against the United States or its Armed Forces or provide them to international terrorists

who would do so, and the extreme magnitude of harm that would result to the United States and its citizens from such an attack, combine to justify the use of force by the United States in order to defend itself;

Whereas Iraq is in material breach of its disarmament and other obligations under United Nations Security Council Resolution 687, to cease repression of its civilian population that threatens international peace and security under United Nations Security Council Resolution 688, and to cease threatening its neighbors or United Nations operations in Iraq under United Nations Security Council Resolution 949, and United Nations Security Council Resolution 678 authorizes use of all necessary means to compel Iraq to comply with these "subsequent relevant resolutions;"

Whereas Congress in the Authorization for Use of Military Force Against Iraq Resolution (Public Law 102-1) has authorized the President to use the Armed Forces of the United States to achieve full implementation of Security Council Resolutions 660, 661, 662, 664, 665, 666, 667, 669, 670, 674, and 677, pursuant to Security Council Resolution 678;

Whereas Congress in section 1095 of Public Law 102-190 has stated that it "supports the use of all necessary means to achieve the goals of Security Council Resolution 687 as being consistent with the Authorization for Use of Military Force Against Iraq (Public Law 102-1)," that Iraq's repression of its civilian population violates United Nations Security Council Resolution 688 and "constitutes a continuing threat to the peace, security, and stability of the Persian Gulf region," and that Congress "supports the use of all necessary means to achieve the goals of Resolution 688";

Whereas Congress in the Iraq Liberation Act (Public Law 105-338) has expressed its sense that it should be the policy of the United States to support efforts to remove from power the current Iraqi regime and promote the emergence of a democratic government to replace that regime;

Whereas the President has authority under the Constitution to take action in order to deter and prevent acts of international terrorism against the United States, as Congress recognized in the joint resolution on Authorization for Use of Military Force (Public Law 107-40); and

Whereas the President has authority under the Constitution to use force in order to defend the national security interests of the United States;

Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,

#### SECTION 1. SHORT TITLE.

This joint resolution may be cited as the "Further Resolution on Iraq".

#### SEC. 2. AUTHORIZATION FOR USE OF UNITED STATES ARMED FORCES.

The President is authorized to use all means that he determines to be appropriate, including force, in order to enforce the United Nations Security Council Resolutions referenced above, defend the national security interests of the United States against the threat posed by Iraq, and restore international peace and security in the region.

Would you read that, Mr. Secretary, to empower you to conduct offensive operations, even if there are U.N. inspectors in-country maintaining to the world that they are carrying out the resolutions of the U.N.?

Secretary RUMSFELD. Senator, the last thing I'm going to do as Secretary of Defense is to try to interpret a resolution that I've not read. I'm not a lawyer. It's a matter for the Department of State and the White House that undoubtedly drafted this. What it might or might not authorize is not for me to say.

Senator REED. Well, let me ask simply, do you have any comments on the wisdom of such a potential scenario where we would be attacking while the U.N. was in-country? Again, I raise this issue, because I don't think it's that farfetched.

Secretary RUMSFELD. Yes.

Senator REED. It seems to me what the Iraqis are trying to do. U.N. inspectors in the country say they're getting cooperation. We all understand it would take months in simply administrative work in which the Iraqis could be quite, "cooperative." What is the wisdom of an attack in that situation?

Secretary RUMSFELD. Well, clearly, I can't read the Iraqis minds, I have to admit that, but their ploy consistently has been to delay, to pretend, and then to change their mind and then to alter their position.

Now, you're right, that takes time, and time is to their advantage. The longer the time is, the less likely there's something going to happen. The more inspectors that are in there, the less likely something's going to happen. The longer nothing happens, the more advanced their weapon programs go along. The longer things are delayed, the greater the likelihood that world attention will turn elsewhere, and the U.N. will once again go back into the mode that we've been in for the last 11 years of being inattentive to those violations.

So I guess I agree with you with respect to the reason for their offering the inspections, supposedly.

Senator REED. Mr. Secretary, I would suggest that that might be a very likely scenario in which we would be contemplating military action. I think it bears great study by the administration.

General Myers, let me turn to a more operational question. Throughout the afternoon, we've talked about the use of CBR—chemical/biological/radiological weapons. Many times, the response—and not just in this hearing, but others—is to point to the facility of our military units to deal with these weapons, and I acknowledge that. When we're buttoned up in tanks, when we have protective suits on, we can mitigate the threat dramatically. But it seems to me, based upon the experience in the Gulf War—and you are a more astute observer than I am—that our biggest vulnerability will be in the ports of disembarkation, where it will take up to 30 to 60 days to inflow the armor and the troops to marry up with armor to move out in a ground attack. The one lesson that is compelling from the Gulf War, at least I would suggest to the Iraqis, is, "If you let the United States build up, you'll lose every time, and you'll lose decisively." This suggests the strong possibility that they will use chemical and biological weapons against the port of disembarkation in the region before we conduct ground operations. Can you comment upon the probability of that and the likelihood of that and to the extent that would disrupt our operations?

General MYERS. Well, absolutely, Senator Reed. It's very hard to calculate the probability, so we assume worst case. Without getting



into a lot of the operational details, again, the first thing you would do is try to attack whatever infrastructure associated with WMD you could. That would be the first thing you would do. We have already talked about some of the passive defenses.

You would also have active defenses, in terms of PAC-3. The PAC-3 missile was specifically designed for the slower missile-delivery systems. Any other delivery systems, aircraft, whatever, you'd work air defenses very hard to ensure they wouldn't be a factor. Then you'd try to—and, again, I don't want to tread too far into the operational details—make sure that you don't have a single point of failure. You would take steps to plan ahead so you could work around these issues.

There is no doubt—and I don't want to paint too rosy a picture here—that weapons of mass destruction would be a horrible thing to have on the battlefield. They could panic a civilian population for sure, which would cause you problems alone. It would slow down the fight. It can cause us problems in logistics, as you mentioned. So, at least in this hearing, if we were asked to do that, we would plan for worst-case and then we would plan around that.

Senator REED. My time is expired, and I don't require a response, but I would assume there is significant collateral damage to the civilian populations and others if these weapons are deployed, and I assume that's correct.

General MYERS. Well, it depends on how they're employed. But, like I said, one of the things you'd worry about is panic among the civilian population and then you'd have to try to mitigate that some way, and it certainly would be a planning factor.

Senator REED. Thank you.

Chairman LEVIN. Thank you, Senator Reed.

Senator Roberts.

Senator ROBERTS. Well, thank you, Mr. Chairman.

I would ask the Chairman if it is his wish that the Intelligence Committee, which is meeting as we speak, and in the midst of the ongoing September 11 investigation and in the midst of being investigated by itself by the FBI, have a hearing on a recent magazine article about something that happened, allegedly, 20 years ago in regards to the U.S. supplying materials to Iraq in reference to their capability with weapons of mass destruction.

We might also ask them to have additional questions in regards to the Oil for Food Program, which Saddam has used billions, I think, to build up his weapons of mass destruction, sanctions violations on the part of the French and the Russians and, for that matter, China, which has also aided and abetted that ability. I would hope that that hearing would include that as well as speculation on something that happened 20 years ago.

I have a real quick question for General Myers. On page 8 of your testimony, you indicated we have made similar improvements virtually to all aspects of our joint team. I think we all know that this will be a an improved joint war fighting team. The Secretary has also indicated that, as well. I don't remember what page it was on, but he certainly made reference to that.

During the recent challenge that we called the Millennium Challenge 2002—I'm summing up here—there has been some speculation that the Red Team effectively used what we call asymmetric

warfare to seriously impede the ability of the Blue forces, which were our forces, to put forces ashore or to get to the fight—i.e., the sunken fleet was resurrected and the experiment simply continued.

My concern is that the techniques used by the Red force under the command of Lieutenant General Van Ryper, a former marine, might represent similar tactics used by Iraq in the war against our forces. My question is, how prepared are we for an enemy using techniques to defeat and circumvent our technology, which we have, and all of the advantages that you have cited, General, which I believe we have, and also the will of the American fighting force, which I believe that we have, against classic asymmetrical warfare?

Let me just say the reason I'm asking this is that on the authorizing committee here, and we're the appropriators, we pushed awfully hard for the money for this exercise. A lot of the services didn't want to do this. But General Van Ryper succeeded in using cruise missiles in unique ways to overwhelm the Navy's Aegis radar and sink the entire simulated Blue armada of 16 ships. The Red team simply stood them up again. Basically, despite a disparity in the technology sophistication between the two sides, the U.S. forces proved susceptible to the Somalis basic warfighting tools, which included the use of smoke pots to disorient the American troops and the communication via word of mouth and drum beating. That sort of harkens back to Somalia.

Basically, the general said, "I am warning against mirror imaging the thinking of Iraqi leaders, Saddam Hussein, and his lieutenants." Somehow you've got to get out of the Western mind-set and, as much as you can, recognize you're dealing with different cultures, different ways of thinking, different warfare, i.e., asymmetrical warfare.

The Joint Forces Command has done no analysis on why the Red Team has had such a great success. I know they will. I know they'll report it to the Secretary, but I'm concerned about this in regards to the American war fighter. Where are we in this?

General MYERS. Well, Senator Roberts, I have a great deal of respect for General Van Ryper. I happened to go to a joint war fighting course with him, matter of fact, a few years back.

Senator ROBERTS. Yeah, he spoke very highly of you when he came into my office.

General MYERS. So I hold him in high respect. Not to dwell on the Millennium Challenge piece of this, but it was an experiment where sometimes things had to be reset to try to figure out and achieve the objectives we wanted to do.

Senator ROBERTS. But the war in Iraq, General, is not going to be an experiment, and it's not going to be an exercise.

General MYERS. I understand. I'm going to get to that. Senator, I think the worst thing we can do is think we're better than we are, and that's a big danger. I know that, in this case, the Middle East, is clearly in General Frank's mind all the time. We try to get Red Teams, people like General Van Ryper, that look at various scenarios and try to think differently than we think. We know it's a different culture. We understand those sorts of things.

But I would say this, that I visited every location except Camp Lejeune on Millennium Challenge, and I spent time at Coronado,

Nellis Air Force Base, and Norfolk, and I suspect you probably did, too. I don't know for sure.

The thing that makes the difference—and that is not at the tactical level but at the strategic level of what we were trying to look at—was our decision cycle, not the specific weapons. This was a scenario, of course, that was in the future, so there were a lot of hypothetical weapons introduced. But the thing we were really trying to investigate is, can we make our decision cycle, our ability to think inside the enemy, faster than any potential adversary? I think that was one of the greatest outcomes, that we think we have ways to do that and to be even better.

We're pretty good today. We found out we were pretty good in Afghanistan. We still need improvement. We still need to improve our joint war fighting. I'm not here to say that it's perfect by any stretch of the imagination. But that was one of the big outcomes of the Millennium Challenge that I think we can all be very proud of that would probably translate very well into future conflict.

Now, as you get down to specific weapons systems and tactics and techniques, there are different issues there, but it's the decision making, it's the planning ability, and the ability to take information, and turn it very quickly and use it again. These are things that we looked at very hard in Millennium Challenge. Again, one of the things we have to guard against is thinking we're better than we are, and I can guarantee you General Tommy Franks doesn't think that, and I certainly don't.

Senator ROBERTS. But if we think faster and we disrupt his command and control, then that certainly would disrupt Saddam's ability to launch the weapons of mass destruction, to draw Israel into the race, or going to the scorched-earth policy, et cetera, et cetera. If we think faster and disrupt his command and control, then that is—in part—the answer, if not the answer.

General MYERS. Yes, sir. Yes, Senator, that's absolutely right.

Senator ROBERTS. Okay, thank you.

My time is expired. Thank you, Mr. Chairman.

Chairman LEVIN. Thank you, Senator Roberts.

I would say to you and all the members of the committee that if there are additional subjects that you would like to be briefed on by the intelligence community—I use the word “brief,” not a “hearing” when I made reference to Senator Byrd—

Senator ROBERTS. Right.

Chairman LEVIN. —that if there are subjects that are relevant to your consideration of this issue, to you and all members of the committee, please give me those subjects. I will make the same request on your behalf as I did on Senator Byrd's.

Senator ROBERTS. Yes, I had understood that you said a “hearing,” and that's why I said what I said. I'm sure every member can go to the Intel Committee and get briefed on precisely the question that the Senator brought up. I appreciate the Chairman's answer.

Chairman LEVIN. Thank you very much.

Senator Bill Nelson.

Senator BILL NELSON. Thank you, Mr. Chairman.

Mr. Secretary, if our objective is regime change in Iraq, and if, as Senator Reed just read the resolution that was just sent up here today, that it is also to promote the peace and stability in the re-

gion, could you share with the committee what is the plan that, once you've taken out Saddam, we will have a military presence there for quite awhile in order to make sure that there is peace and stability in the region and that there's not another Saddam that rises up that gives us the same problem in the first place that we have?

Secretary RUMSFELD. Senator Nelson, I think what I would say is that the immediate objective is disarmament. I think a case can be made that the policy of the United States Government, including Congress, is regime change. But I think the reason Congress came to that conclusion and the President talks of regime change as a policy of the United States is because it's, at this stage, so difficult to imagine disarmament without regime change.

With respect to what might follow, the Department of State has given thought to that. It's hard to know precisely. The things that I sense broad agreement on in the international community is that it would be enormously unhelpful if Iraq would split up into multiple states, that it should be a single country, that that's best for the region, that it be a government that does not have weapons of mass destruction, does not threaten its neighbors, and provides through some mechanisms of elections and representation to assure that the ethnic minorities in that country are treated properly and that they're not repressed or disadvantaged.

Again, the President has not made a decision, but if one assumes, as your hypothetical question does, that force is used, disarmament takes some period of time. One would think there would have to be a military presence, undoubtedly a coalition presence or a U.N. presence for a period of time, and it will take some time to find all of these locations because there are so many and they're so well hidden.

Iraq's economic circumstance is quite different from Afghanistan's in the sense that they do have substantial oil revenues. Therefore, from a reconstruction standpoint and from a recovery standpoint, one would think that during that period where the disarming is taking place and by, presumably, an international or coalition force of some sort, and, presumably, Iraqis from inside the country and from outside the country would have some sort of a mechanism whereby they would decide what kind of a government or template would make sense. It was the Afghan people that decided that, and I would think it would be the same to Iraqi people. They will be liberated people and they will have choices they haven't had for many, many years.

I would think that during that period, the economic circumstance of not just that country but the neighboring countries would be enormously benefitted. It has not been a happy part of the world under his leadership.

Beyond that, I think part of it would be left to the Department of State, part of it would be left to the Iraqi people, and part of it would be left to some sort of an international coalition that would be participating.

Senator BILL NELSON. Mr. Secretary, you really have stirred up MacDill and the Tampa area. I'm quoting from the *Tampa Tribune* of a couple of days ago.

"Defense Secretary Donald Rumsfeld on Monday ridiculed the location of U.S. Central Command in Tampa while asserting that a certain logic points toward a move closer to potential battle zones near the Persian Gulf. General Tommy Franks, . . . headquarters for war operations in Asia and the Middle East, has been pressing for a move, Rumsfeld said. 'Tom Franks has been after me to do that ever since I arrived in the department,' Rumsfeld said. 'There's a certain logic to it.'"

[The information referred to follows:]

*The Tampa Tribune September 17, 2002, Tuesday, FINAL EDITION*

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The Tampa Tribune

**September 17, 2002, Tuesday, FINAL EDITION**

**SECTION:** NATION/WORLD, Pg. 1

**LENGTH:** 1074 words

**HEADLINE:** Rumsfeld: Tampa No Place To Run War MacDill May Be Forced Out Of Action

**BYLINE:** KEITH EPSTEIN, [kepstein@tampatrib.com](mailto:kepstein@tampatrib.com); Reporter George Coryell contributed to this report. Reporter Keith Epstein can be reached at (202) 662-7673.

**BODY:**

WASHINGTON - Defense Secretary Donald Rumsfeld on Monday **ridiculed the location of U.S. Central Command in Tampa** while asserting that "a certain logic" points toward a move closer to potential battle zones near the Persian Gulf.

Gen. Tommy Franks, combatant commander at MacDill Air Force Base, headquarters for war operations in Asia and the Middle East, has been pressing for the move, Rumsfeld said.

"Tom Franks has been after me to do that ever since I arrived in the department," Rumsfeld said. "And there's a certain logic to it. 'The European Command is in Europe. The Pacific Command's in the Pacific. And the Central Command is in - Tampa,' nowhere near the Central Asia territory that is its responsibility. Rumsfeld's face wore a mocking, puzzled expression, and he squared off his fingers in a frame as if trying to straighten a picture.

"You think, 'My goodness, why is that?' Well, it's just history," he said.

Rumsfeld's remarks came only days after senior Pentagon officials disclosed that 600 of CentCom's personnel in Tampa, a substantial proportion, will in November be deployed to the Persian Gulf nation of Qatar to test the readiness of a mobile command and communications facility. The move has been widely viewed as a potential prelude to war.

But more than a few Pentagon hands were surprised by Rumsfeld's disclosure that he is considering moving CentCom itself, a major military and Tampa Bay institution that has survived years of discussion about possible shifts, largely because of politics, advances in computers, satellites, and the machinery of war - and because of the volatility of the vast region it oversees.

The prospect of a move caught even Rumsfeld's aides off guard.

"Maybe that is where he's going to push it down the pike," said Lt. Dan Herlage, a Defense Department spokesman. "But there's no plan for that that I know of at this point. Nobody's put pen to paper on this one.

"I hope he's just thinking out loud."

**The Gulf War Strategy**

During the Persian Gulf War, CentCom's commander in chief, Norman Schwarzkopf, operated from a "forward command" in Saudi Arabia, which Franks agreed was essential because of the need to manage half a million troops from many nations.

But publicly, at least, Franks has appeared to support CentCom's Tampa-based role and even during the war in Afghanistan has made infrequent visits there, generally one a month.

Only a few weeks ago, Franks boasted about the "technological sophistication that did not exist 10 years ago" that makes it possible to manage a war from thousands of miles away. "I'm asked, how can you be at Central Command here in Tampa at MacDill when you have a war going on halfway around the world?" Franks said. Thanks largely to technology, "situational awareness in this effort is better than any situational awareness we've had in history." So far, he said, "this has been more effective than sitting on the battlefield."

But he acknowledged he sometimes felt more out of touch than would a commander on the scene. "It's hard to do that when you're 7,000 or 8,000 miles away," he said.

#### Zones Apart

Rumsfeld touched upon that in his remarks, pointing out the time zones that separate Franks from the action.

"It's clearly difficult to deal in those time zones if your team of people dealing in that time zone is physically in Tampa as opposed to in the time zone in the area of responsibility of the Central Command," he said. When it is noon in Kabul, Afghanistan, it is 3:30 a.m. at CentCom's headquarters in Tampa.

The training exercise in Qatar - which CentCom said would last only a week but senior Pentagon officials stressed could stretch longer, especially if the United States goes to war against Iraq - involves the testing of mobile electronics systems.

From a large, new multibillion-dollar air base at al-Udeid, the personnel from Tampa were to oversee all U.S. military forces in the region, in essence testing a new forward command.

The Saudis say that under certain circumstances, such as an agreement from the United Nations, the United States could receive permission to manage a major assault on Iraq from Saudi Arabia, giving the United States two options.

Franks is "looking at different ways, alternatives of doing things," Rumsfeld said. "What will eventually happen, I think, remains to be seen. But he clearly is developing some capability in that part of the world."

As Franks said recently, "Anyone in my line of work seeks flexibility."

A CentCom spokesman on Monday declined to address Rumsfeld's remarks, saying the command does not comment on "future operations."

The history of CentCom is rife with discussions about whether to move, and speculation about why it exists in Tampa rather than any number of other locations.

On CentCom's own Web site, in fact, on a page of "frequently asked questions," the first is, "Why is the U.S. Central Command Headquarters located in Tampa, Fla., and not in the Arabian Gulf or elsewhere in the Middle East?"

The answer: "Because of sensitivities of some of the region's nations which are reluctant to host a permanent and relatively large U.S. military presence on their soil."

CentCom's origin was almost accidental and certainly evolutionary. President Reagan established it in 1983 as a successor to the Rapid Deployment Joint Task Force.

Before then, the most volatile regions on the planet - a vast 3,600-mile-long, 4,600-mile-wide swath stretching from North Africa to Southeast Asia through 25 countries - fell into a gray area between the Pacific and European commands.

The countries include several with which the United States has been most concerned over the last two decades, such as Iran, Iraq and Afghanistan.

Among the five unified commands, only CentCom operates at a distance from the region it oversees, largely because nations of Asia, for instance, often view Americans as interlopers and are opposed to allowing American troops in their homelands.

This unwillingness to host the U.S. military has been underscored by incidents such as the 1996 bombing by terrorists of the air base in Dhahran, Saudi Arabia, which killed 19 airmen; the failed attempt to snatch a Somali warlord in 1993, in which 18 soldiers died; the bombing of the American Embassy in Kenya that killed 213 and injured thousands; and the attack on the USS Cole in Yemen.

Can you help unstir what's going on down there?

Secretary RUMSFELD. Well, you will not find a quote anywhere that even begins to approximate "Rumsfeld ridiculing," notwithstanding what that, I'm sure, outstanding newspaper had to say.

It is true that before I arrived back in the Pentagon in January of last year, the Central Command has had a concern about its location. This did not arrive with Tom Franks talking to me; it preceded me. Is that correct, General?

General MYERS. That's correct.

Secretary RUMSFELD. Part of the reason why I mentioned it was due to the time zones. If you've got a command center that is about six time zones away, it makes everything a little harder. Our European Command is in Europe. Our Pacific Command is in the Pacific, and our Central Command for that whole region—Afghanistan and the Middle East and that whole portion of the world—is in Tampa, Florida. That does not say anything against Tampa, Florida, except that Tampa, Florida, happens not to be located in the Central Command, just by happenstance, well before I arrived. Tom Franks has, ever since I arrived, raised this issue with me, and he is in the process of moving some pieces so that he and some of his key people will be capable of functioning in that part of the world.

Is that pretty close?

General MYERS. Yes, sir. I think the intention is a forward element. Senator Nelson, there was a lot of debate during the high tempo combat in Afghanistan about where General Franks should be, and I think this is part of that argument. But we're talking about a forward element that General Franks could fall in on from time to time.

Senator BILL NELSON. Is that what you're speaking of, a forward element, or are you talking about a complete relocation of the Central Command?

General MYERS. Senator, I think now what is being discussed is an element—the capability, the equipment, the infrastructure—to fall in on from time to time. I think that's the discussion now.

Senator BILL NELSON. Well, I'm obviously going to have to visit with you on this. The political sensitivities is one reason that it's not been located over in that area, which is why we didn't have it, for example, in the Gulf War. General Schwartzkopf had moved an

element over there for the conduct of that war, similar, General Myers, to what you're saying that is being done here.

General MYERS. I believe that's correct. I think it's still being decided how permanent a forward element you would have, how large it would be. From a military point of view, you'd want to have some infrastructure there that people could use, where you'd have the communications and so forth rather than have to lay that in every time. It's terribly expensive to do it that way.

Secretary RUMSFELD. I will say Florida, of course, is host to the Special Operations Command. It's host to the Naval Aviation Training Command. I lived in Florida and was a pilot in the Navy in the Southern Command. It is a state that's hospitable to the military, and that's why there's a great deal of military activity in the state, because they are so well treated.

Senator BILL NELSON. Mr. Chairman, just in closing, I'd like to thank both of these gentlemen, because I'm sure they had the input into the President's speech at the United Nations in which he drew attention to the downed American pilot, Scott Speicher, and of which I have visited with both of these gentlemen ad infinitum, and of which is just going to be another element that we're going to have to consider when we go into Iraq.

Chairman LEVIN. Thank you, Senator Nelson.

Senator BILL NELSON. Thank you, Mr. Chairman.

Chairman LEVIN. Senator Inhofe.

Senator INHOFE. Thank you, Mr. Chairman. I have four things I'm going to try to cover real quickly.

First of all, Mr. Secretary, I don't want people to misinterpret at a future time the answer that you gave to the initial question. That was a very good question by our Chairman; how can we carry out the war with the readiness problems that we have? Having chaired the Senate Armed Services Subcommittee on Readiness, we have very serious problems, and I wouldn't want your response to be interpreted in some way that our Guard and Reserve are going to be able to take care of the end-strength problems and all the others that we have.

I think I've heard you say in previous hearings that historically in the 20th century during peacetime that the average percentage of Gross Domestic Product has been some 5.7 percent to go to Defense. During wartime, it goes to 13.3 percent. It has been, in the last few years, less than 3 percent, only in this more optimistic budget we're in right now it's 3.11 percent. So I'd just like to have you make a statement that we need to do something about our overall defense spending. You can no longer go after modernization at the expense of readiness or RPM accounts at the expense of National Missile Defense.

Secretary RUMSFELD. Senator, you're exactly right. There's no question but that the Chairman and I and others have testified before this committee and before the House discussing the fact that our aircraft fleet is aging, that our shipbuilding numbers are not at the levels they should be, and that the housing situation for many of the men and women in uniform is substandard.

Senator INHOFE. Thank you.



Secretary RUMSFELD. You're exactly right. On the other hand, my answer was correct to the Chairman that we are capable of performing the kinds of tasks we're discussing here.

Senator INHOFE. I agree with both your answers.

Senator Reed brought up this new document that I had not seen until the course of this particular committee hearing. But I think it's important that we go back a bit. As Senator Nelson said, that it was an excellent speech that the President made before the United Nations. In that speech, he talked about things that would have to happen to preclude his effort for a preemptive strike. He said such things as, "It will immediately and unconditionally fore-swear disclosure and removal and destroy all weapons of mass destruction, long-range missiles and all related material." He said, "It will immediately end all support of terrorism and act to suppress it." All these were conditions that the President outlined.

In this document that I just read, he talks about other things that have to take place. Somehow there seems to be some percentage of our population, maybe at this table and elsewhere, that if all of a sudden we decided that Saddam Hussein was going to allow inspectors to come in, it would be "unfettered," which he's already reneging on that. He has a long history of lying about this, and he's never allowed this to happen before. I see this as nothing more than a stall tactic, a delay. This could delay it for maybe a month or 2 months or 6 months. Time is not our friend in this case, so this has concerned me.

But even if he had some kind of a revelation and we believed that what he said was true, there are still other conditions that are listed here to which they would have to comply. So I assume it's not just the weapons inspectors that would keep us from wanting to do the preemptive strike. There are other conditions that must be met.

Secretary RUMSFELD. Senator, I'm really at a disadvantage. I have not had a chance to read the resolution. My understanding is that this resolution was being worked on at the White House with congressional leadership, number one. Number two, it's my understanding that the resolution was being fashioned in a way that it was as close as possible to a prior resolution that existed in Congress.

Senator INHOFE. Well, let's forget about the resolution and just say there are things that have to be done other than weapons inspectors in order to satisfy us, such as the President outlined in the report. This includes: "unconditional," "foreswear," "disclosures," and "remove all."

Secretary RUMSFELD. Clearly, the President's speech is the driving document.

Senator INHOFE. Okay.

Secretary RUMSFELD. You're exactly right.

Senator INHOFE. Very good. Very good.

I would ask both of you to at least express a concern and repeat something that you've stated before. I see us going into another round of hand-wringing. This has disturbed me all during the 1990s when things were happening with Osama bin Laden—we remember the 1992 threat to some hundred servicemen in Yemen, the 1993 Somalia incident that he took credit for, and their initial

attack on the World Trade Centers in 1993—we sat around wringing our hands. Then Khobar Towers happened, then Kenya and Tanzania, then the U.S.S. *Cole*, and we kept on wringing our hands.

I want to read to you something that was stated by President Clinton—in this case, I agreed with him—and that is the risk and consequences of inaction. This was President Clinton on August 20, 1998. He said, “Countries that persistently host terrorists have no right to be safeguards. It will require strength, courage, and endurance. We will not yield to this threat. We will meet it, no matter how long it will take. This will be a long ongoing struggle between freedom and fanaticism, between the rule of law and terrorism. We must be prepared to do all we can do, as long as it takes.”

Later, he says, “The risk from inaction to America and the world would be far greater than action, for that would embolden the enemies, leaving their ability and their willingness to strike us intact.” Do you think that applies today?

Secretary RUMSFELD. I think it’s very well stated. I had not heard the quotation, but he raises the very important point that it is understandable that we talk about the risks of action, because they’re very real. But it is critically important that we look at the risks of inaction.

Senator INHOFE. Thank you very much, Mr. Chairman. If my time is not expired, I do have a couple of further questions.

Chairman LEVIN. Well, it is now. [Laughter.]

You were very gracious before, so I can’t deny you one more question.

Senator INHOFE. Okay.

Chairman LEVIN. I’d like to, but I can’t.

Senator INHOFE. I’m sorry?

Chairman LEVIN. I’d like to, but I can’t. I don’t have the heart to do it. [Laughter.]

Senator INHOFE. Senator Kennedy talked about how the people of Iraq have been unsuccessful in overturning Saddam Hussein. In 1996, there was a real effort by all the opposition groups—not just the Kurds of the north, as some have said—and it was their understanding at that time that the United States would be joining them. So that was a mission that never did take place.

As a result of our turning our backs and walking away, thousands and thousands of Kurds in the north were killed, along with others. Do you think, at that time, if we had had the united front that was talked about, that we might not be sitting here today worrying about Saddam Hussein?

Secretary RUMSFELD. Well, with the benefit of 20–20 hindsight, I’m sure we can look back over the years at any number of incidences where, if things had been done differently, the outcomes would have been better. Certainly that was not a happy situation.

Senator INHOFE. Thank you. I appreciate your service, both of you, to our country.

Secretary RUMSFELD. Thank you.

General MYERS. Thank you.

Chairman LEVIN. Thank you, Senator Inhofe.

Senator Carnahan.

Senator CARNAHAN. Thank you, Mr. Chairman. Thank you, too, Mr. Secretary and General Myers, for your service and for your patience today.

Last week at the United Nations, President Bush laid out a scathing indictment of Saddam Hussein. He reminded us that Saddam has ignored the world's command to disclose and destroy all weapons of mass destruction, and he challenged the United Nations to assert its authority and enforce its will.

Well, I agree with the President that Saddam Hussein cannot be allowed to ignore these requirements and continue to develop weapons of mass destruction. Some of our allies, however, around the world say that the threat is not imminent or that Saddam will not likely share his weapons with other terrorist groups. Well, I think that is an unrealistic and risky assumption.

After the attacks on our country last year and knowing that al Qaeda is very actively seeking biological, chemical, and nuclear weapons, we, in the United States, simply do not have the luxury of waiting or hoping or leaving the future to chance. We have a duty, not only to America, but to mankind to make an affirmative response.

Earlier this year, 60 scholars, including former Senator Moynihan, wrote a statement in response to the September 11 attacks, and he entitled it, "What We're Fighting For, A Letter From America," and this is part of what he had in there: "Reason and careful moral reflection teach us that there are times when the first and most important reply to evil is to stop it, and that is precisely what we must do."

I ask that the full statement that I've made be made part of the record, and I have a few questions.

Chairman LEVIN. It will be made part of the record.

[The prepared statement of Senator Carnahan follows:]

PREPARED STATEMENT BY SENATOR JEAN CARNAHAN

Thank you Mr. Chairman, and thank you Secretary Rumsfeld and General Myers for your continued service and commitment when our country needs you most.

Last week at the United Nations, President Bush laid out a scathing indictment against Saddam Hussein. He reminded us that Saddam has ignored the world's command to disclose and destroy all of his weapons of mass destruction. He challenged the United Nations to assert its authority and enforce its will. I agree with the President that Saddam Hussein cannot be allowed to ignore requirements and continue to develop weapons of mass destruction.

For me, the primary question that we all have to answer is: "How great a risk would it be to our national security if Saddam Hussein acquired a nuclear weapon?"

When you consider, in totality . . .

- the intelligence that has been gathered,
- Saddam's actions prior to and during the Gulf War,
- Saddam's ouster of weapons inspectors in 1998,
- the accessibility of terrorist groups in the Arab world that could ally with Saddam, and
- the horror and evil that terrorists are both willing and eager to inflict on our people . . .

I come to the conclusion that the United States cannot accept the risk of Iraq obtaining a nuclear weapon.

We have tried to disarm Saddam through weapon inspections. But when he threw out the weapons inspectors, the world was unwilling to stand up to him. We have tried to contain Saddam with sanctions. But the world has been unwilling to enforce them. When presented with the threat that Iraq's weapons of mass destruction what do some friends and allies say?

"He is not an imminent threat."

"He doesn't have the means to deliver the weapons beyond his borders."

"He won't give these weapons to terrorists."

These are unrealistic and risky assumptions.

But after 3,000 of our citizens perished just over a year ago and after we uncovered evidence that al Qaeda was actively seeking biological, chemical, and nuclear capabilities we do not have the luxury of . . .

- waiting
- or hoping
- or leaving the future to chance.

We have a duty not only to America, but to mankind to make an affirmative response.

For we are living in a different world than we did just over a year ago.

We are fighting a different kind of war . . .

- with no boundaries, no rules, no clear measure of victory or defeat,
- against an undefined enemy, that operates in the shadows, and
- will not be known to us until, perhaps, it is too late.

We know that Saddam presents a clear threat to our security. We have a duty to take action to remove that threat. Merely allowing inspectors to re-enter Iraq will not do. We know that Saddam will continue to hide the ball.

The danger is that we could find ourselves years from now in the same situation as in 1998 . . .

- with a broken down inspections system
- and Saddam much further down the road toward obtaining a nuclear weapon.

To meet his obligations, Saddam must do far more. He must admit that he has weapons. . .

- tell us where they are, and
- destroy them under international supervision.

He must comply with all his other obligations under United Nations' resolutions. I believe the case against Saddam is clear and strong. As the President and the administration make their position known to the rest of the world, I believe that we will gain many allies in this effort. That eventually, we will take action to protect our citizens and the rest of the world from unspeakable horrors.

Earlier this year, 60 scholars, including former Senator Moynihan, wrote a statement in response to the September 11 attacks entitled "What We're Fighting For: A Letter from America." In it, they stated:

"Reason and careful moral reflection . . . teach us that there are times when the first and most important reply to evil is to stop it."

That is what we need to do.

Senator CARNAHAN. Mr. Secretary, before the United Nations inspectors left Iraq in 1998, Iraq frequently played hide and seek when it came to their weapons. They placed them in presidential palaces or underground bunkers. The U.S. military has far greater tools at its disposal than the inspectors, in terms of being able to track down these weapons. Would you comment on your concerns about the ability of the inspectors to find all of the stockpiled chemical and biological weapons?

Secretary RUMSFELD. Yes, Senator. The inspectors can be very good—very good—at what they do. But if the Government of Iraq is not going to cooperate, then it is just an enormously complex and difficult job. There isn't any way to know how well you've done, of certain knowledge, unless you get people talking to you. In Saddam Hussein's Iraq, anyone who talks to an inspector runs the risk of being killed, along with his or her family and their relatives. You'd almost have to get everybody out of the country that had any knowledge and interrogate them outside and have them tell you. But then if they ever wanted to go home, they'd be faced with the same problem.

So the connection between disarming the weapons of mass destruction and regime change is, to me, awfully tight. It's very difficult to accomplish it without it.

Senator CARNAHAN. Yes, if Saddam Hussein does not have access to weapons of mass destruction, how can we make sure he doesn't have access to them if he remains in power?

Secretary RUMSFELD. Well, you'd have to have continuing inspections, I suppose, and that would be just as difficult, as long as he is resistant to the inspectors as he has over the past decade rather than cooperative.

The model for successful inspectors is one where the government is caught doing something, they're penalized, and they decide that their life, their circumstance, and their future is better not being penalized and being willing to give up those weapons. But if the government isn't cooperative, their ability to frustrate and to deny and deceive is extensive.

Senator CARNAHAN. General Myers, it took several months to mobilize a force that was ready to initiate Operate Desert Storm. I understand that our current airlift and sealift capabilities allow for us to deploy forces much more rapidly. Could you describe the differences between our capabilities now and those that we had during the Gulf War, and how the changes might impact the speed with which we are able to position our troops in the area?

General MYERS. You bet. First of all, we have the C-17, and it's gotten great support here in Congress. We don't have enough of them yet, but we start to buy the correct number in the 2003 budget. Its reliability, its cargo-carrying capability, and, particularly, its ability to go into relatively short airfields really enhances our airlift piece of this equation.

The second part that I would mention is the shipping. As I recall from Operation Desert Storm, we had to activate ships. We had mechanical difficulties. It frustrated our ability to move cargo, equipment, and personnel to the Gulf. Today, as I mentioned in my opening statement, we have 17 of the 20 medium-speed roll-on/roll-off ships already delivered. They were delivered as of last year. My view is that this will make a big difference in our ability to move supplies and equipment into any region where the United States military might be asked to go.

So I think we are much better postured in that respect than we were a decade ago.

Senator CARNAHAN. In your prepared testimony, you mentioned the use of immunizations and new detection equipment as part of our effort to manage the threat of chemical and biological attacks. Could you elaborate a little bit more on how our troops are equipped to defend themselves against such biological attacks?

General MYERS. Absolutely. Any armed forces that we think are going to be under the threat of weapons of mass destruction will have their personal protective gear, which, as I said earlier, has improved over time. The protective suits today that they wear are lighter than they were previously. We have good masks today that can protect against chemical and biological elements. We also have decontamination sets today that are new since a decade ago. Then we have warning systems that are much better than we've had in

the past for, not just a local area, but wider area networks that we can put together.

None of this is going to help us counter weapons of mass destruction. That would be, obviously, a terrible event if it were to occur, for the reasons that I think I talked about earlier, but we're reasonably well prepared.

Now, the other part of that is that if you think an adversary is going to employ weapons of mass destruction, there are lots of things that you can employ to discourage that. The Secretary has talked about part of that. I think you can communicate to those folks that have to carry out those acts that this would not be in their best interests—that, after any conflict, people that had been involved in the use of weapons of mass destruction, employing them on civilian populations or other people's armed forces, would be held under very high scrutiny, and life would probably be pretty miserable for them when the course of justice got through with them. So there's that aspect of it.

There's also the aspect of defense. Before, I mentioned the Patriot 3, which has recently been fielded. We know during Operation Desert Storm that the Patriot had about a 50-percent chance of hitting the incoming warhead, much improved now with the Patriot 3 designed specifically for that type of threat. I don't want to go into the classified numbers, but Patriot 3 has very good capability today against Scud-type missiles and other short-range missiles.

So I think if you put all that together, does it mean that this is still not going to be a horrific event that we're going to fight our way through? Is it going to slow us down? Probably. Will it cause us to maybe change our plans in a localized area? It could possibly. Any plan that we make against any adversary takes that into account as best we can, and we'll plan for the worst-case and protect our troops.

You mentioned immunizations. We have started to get into the anthrax immunizations this week, and we'll continue those.

Senator CARNAHAN. Thank you. My time is up.

Chairman LEVIN. Thank you, Senator Carnahan.

Senator DAYTON.

Senator DAYTON. I have the benefits of my colleagues' questioning this afternoon, so I have a statement that I would like to introduce into the hearing record. There is a question at the conclusion of it, Mr. Secretary, and I want to preface my remarks by just saying to both of you what enormous respect I have for both of you, your professionalism, and your dedication to our country. What you wake up every morning having to think about, and think about during the day, night, and just before you go to bed is an awesome responsibility and one whose gravity and enormity you share with just a few others in the administration, the President, the Vice President, and others. I think your country is enormously in both your debt for what you've undertaken, and I thank you and want to acknowledge that.

Secretary RUMSFELD. Thank you very much.

General MYERS. Thank you, sir.

Senator DAYTON. I have enormous respect for the convictions you bring, for the inevitable difficulty of the assessments that you're

making and that we are also, here in Congress, being asked to make now during these times.

Based on what I have been able to learn, what I've been told in these last really few days of information, it seems clear to me that the menace of Saddam Hussein is real and serious and that there's important elements that we cannot know because of a lack of U.N. inspection that makes this even more conjectural. So I take what you're facing and this Nation is facing with enormous gravity, but I also think it has enormous implications. It's not clear to me what is right at this time. Mr. Secretary, yesterday before the House Armed Services Committee, you said, "The United States must act quickly to save the potentially tens of thousands of citizens"—that's the paraphrasing in the article.

What concerns me is your insistence and the administration's insistence that the Senate rush to judgment on these critical decisions, and that it's imperative that we do so very quickly. We've already heard from others that if we don't make those decisions, take those necessary actions that are being requested, that we are unpatriotic, blind, cowardly and/or irresponsible if we don't provide the blank check that's requested in this resolution now to use by the President by whatever means he determines is necessary and appropriate to remove Saddam Hussein from power, which is a goal and objective that I believe we all share.

I'm not a historian or a scholar, and it's maybe the subject of some debate, but according to Congressional Research Service analysis, the United States has never in its history launched a preemptive attack against another country. I'll quote from a report, and, Mr. Chairman, I'd like to ask that it be introduced at the conclusion as part of the record. It says, "The historical record indicates the United States has never to date engaged in a preemptive military attack against another nation, nor has the United States ever attacked another nation militarily prior to its first having been attacked or prior to U.S. citizens or interests first having been attacked, with the singular exception of the Spanish-American War."

The last 50 years, we've had our leaders confronting dangerous leaders in other countries who possess the weapons of mass destruction, ones that, in fact, we knew could bring devastation to this country and to the world. Republican presidents and congresses and Democratic presidents and congresses approached these situations fraught with peril not by starting a war, not by launching a preemptive attack or initiating an invasion of another country, but by protecting the country and preserving the planet by preventing war.

[The information referred to follows:]



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## RS21311 -- U.S. Use of Preemptive Military Force

September 18, 2002

Richard F. Grimmett  
 Specialist in National Defense  
 Foreign Affairs, Defense, and Trade Division

PDF Format

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### Summary

This report reviews the historical record regarding the uses of U.S. military force in a "preemptive" manner, an issue that has emerged due to the possible use of U.S. military force against Iraq. It examines and comments on military actions taken by the United States that could be reasonably interpreted as "preemptive" in nature. For purposes of this analysis we consider a "preemptive" use of military force to be the taking of military action by the United States against another nation so as to prevent or mitigate a presumed *military* attack or use of force by that nation against the United States. This review includes all noteworthy uses of military force by the United States since the establishment of the Republic. A listing of such instances can be found in [CRS Report RL30172\(pdf\)](#), *Instances of Use of United States Armed Forces Abroad, 1798-2001*. For an analysis of international law and preemptive force see [CRS Report RS21314](#), *International Law and the Preemptive Use of Force Against Iraq*.

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### Background

In recent months the question of the possible use of "preemptive" military force by the United States to defend its security has been raised by President Bush and members of his Administration, including possible use of such force against Iraq. (1) This analysis reviews the historical record regarding the uses of U.S. military force in a "preemptive" manner. It examines and comments on military actions taken by the United States that could be reasonably interpreted as "preemptive" in nature. For purposes of this analysis we consider a "preemptive" use of military force to be the taking of military action by the United States against another nation so as to prevent or mitigate a presumed *military* attack or use of force by that nation against the United States. The discussion below is based upon our review of all noteworthy uses of military force by the United States since establishment of the Republic.

**Historical overview.** The historical record indicates that the United States has never, to date, engaged in a "preemptive" military attack against another nation. Nor has the United States ever attacked another nation militarily *prior* to its first



having been attacked or *prior* to U.S. citizens or interests first having been attacked, with the singular exception of the Spanish-American War. The Spanish-American War is unique in that the principal goal of United States military action was to compel Spain to grant Cuba its political independence. An act of Congress passed just prior to the U.S. declaration of war against Spain explicitly declared Cuba to be independent of Spain, demanded that Spain withdraw its military forces from the island, and authorized the President to use U.S. military force to achieve these ends. (2) Spain rejected these demands, and an exchange of declarations of war by both countries soon followed. (3) Various instances of the use of force are discussed below that could, using a less stringent definition, be argued by some as historic examples of "preemption by the United States. The final case, the Cuban Missile crisis of 1962, represents a threat situation which some may argue had elements more parallel to those presented by Iraq today-but it was resolved without a "preemptive" military attack by the United States.

The circumstances surrounding the origins of the Mexican War are somewhat controversial in nature-but the term "preemptive" attack by the United States does not apply to this conflict. During, and immediately following the First World War, the United States, as part of allied military operations, sent military forces into parts of Russia to protect its interests, and to render limited aid to anti-Bolshevik forces during the Russian civil war. In major military actions since the Second World War, the President has either obtained Congressional authorization for use of military force against other nations, in advance of using it, or has directed military actions abroad on his own initiative in support of multinational operations such as those of the United Nations or of mutual security arrangements like the North Atlantic Treaty Organization (NATO). Examples of these actions include participation in the Korean War, the 1990-1991 Persian Gulf War, and the Bosnian and Kosovo operations in the 1990s. Yet in all of these varied instances of the use of military force by the United States, such military action was a "response," *after the fact*, and was not "preemptive" in nature.

**Central American and Caribbean interventions.** This is not to say that the United States has not used its military to intervene in other nations in support of its foreign policy interests. However, U.S. military interventions, particularly a number of unilateral uses of force in the Central America and Caribbean areas throughout the 20th century were not "preemptive" in nature. What led the United States to intervene militarily in nations in these areas was not the view that the individual nations were likely to *attack the United States militarily*. Rather, these U.S. military interventions were grounded in the view that they would support the Monroe Doctrine, which opposed interference in the Western hemisphere by outside nations. U.S. policy was driven by the belief that if stable governments existed in Caribbean states and Central America, then it was less likely that foreign countries would attempt to protect their nationals or their economic interests through their use of military force against one or more of these nations.

Consequently, the United States, in the early part of the 20th century, established through treaties with the Dominican Republic (in 1907) (4) and with Haiti (in 1915) (5), the right for the United States to collect and disperse customs income received by these nations, as well as the right to protect the Receiver General of customs and his assistants in the performance of his duties. This effectively created U.S. protectorates for these countries until these arrangements were terminated during the Administration of President Franklin D. Roosevelt. Intermittent domestic insurrections against the national governments in both countries led the U.S. to utilize American military forces to restore order in Haiti from 1915-1934 and in the Dominican Republic from 1916-1924. But the purpose of these interventions, buttressed by the treaties with the United States, was to help maintain or restore

political stability, and thus eliminate the potential for foreign military intervention in contravention of the principles of the Monroe Doctrine.

Similar concerns about foreign intervention in a politically unstable Nicaragua led the United States in 1912 to accept the request of its then President Adolfo Diaz to intervene militarily to restore political order there. Through the Bryan-Chamorro treaty with Nicaragua in 1914, the United States obtained the right to protect the Panama Canal, and its proprietary rights to any future canal through Nicaragua as well as islands leased from Nicaragua for use as military installations. This treaty also granted to the United States the right to take any measure needed to carry out the treaty's purposes. (6) This treaty had the effect of making Nicaragua a quasi-protectorate of the United States. Since political turmoil in the country might threaten the Panama Canal or U.S. proprietary rights to build another canal, the U.S. employed that rationale to justify the intervention and long-term presence of American military forces in Nicaragua to maintain political stability in the country. U.S. military forces were permanently withdrawn from Nicaragua in 1933. Apart from the above cases, U.S. military interventions in the Dominican Republic in 1965, Grenada in 1983, and in Panama in 1989 were based upon concerns that U.S. citizens or other U.S. interests were being harmed by the political instability in these countries at the time U.S. intervention occurred. While U.S. military interventions in Central America and Caribbean nations were controversial, after reviewing the context in which they occurred, it is fair to say that none of them involved the use of "preemptive" military force by the United States. (7)

**Covert action.** Although the use of "preemptive" force by the United States is generally associated with the overt use of U.S. military forces, it is important to note that the United States has also utilized "covert action" by U.S. government personnel in efforts to influence political and military outcomes in other nations. The public record indicates that the United States has used this form of intervention to prevent some groups or political figures from gaining or maintaining political power to the detriment of U.S. interests and those of friendly nations. For example, the use of "covert action" was widely reported to have been successfully employed to effect changes in the governments of Iran in 1953, and in Guatemala in 1954. Its use failed in the case of Cuba in 1961. The general approach in the use of a "covert action" is reportedly to support local political and military/paramilitary forces in gaining or maintaining political control in a nation, so that U.S. or its allies interests will not be threatened. None of these activities has reportedly involved significant numbers of U.S. military forces because by their very nature "covert actions" are efforts to advance an outcome without drawing direct attention to the United States in the process of doing so. (8) Such previous clandestine operations by U.S. personnel could arguably have constituted efforts at "preemptive" action to forestall unwanted political or military developments in other nations. But given their presumptive limited scale compared to those of major conventional military operations, it seems more appropriate to view U.S. "covert actions" as adjuncts to more extensive U.S. military actions. As such, prior U.S. "covert actions" do not appear to be true case examples of the use of "preemptive" military force by the United States.

**Cuban missile crisis of 1962.** The one significant, well documented, case of note, where "preemptive" military action was seriously contemplated by the United States, but ultimately not used, was the Cuban missile crisis of October 1962. When the United States learned from spy-plane photographs that the Soviet Union was secretly introducing nuclear-capable, intermediate-range ballistic missiles into Cuba, missiles that could threaten a large portion of the Eastern United States, President John F. Kennedy had to determine if the prudent course of action was to use U.S. military air strikes in an effort to destroy the missile sites before they became

operational, and before the Soviets or the Cubans became aware that the U.S. knew they were being installed. While the military "preemption" option was considered, after extensive debate among his advisors on the implications of such an action, President Kennedy undertook a measured but firm approach to the crisis that utilized a U.S. military "quarantine" of the island of Cuba to prevent further shipments from the Soviet Union of military supplies and material for the missile sites, while a diplomatic solution was aggressively pursued. This approach was successful, and the crisis was peacefully resolved. (9)

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#### Footnotes

1. (back) See speeches of President George W. Bush at West Point on June 1, 2002 at <http://www.whitehouse.gov/news/releases/2002/06/20020601-3.html>; and the President's United Nations speech of September 12, 2002 at <http://www.whitehouse.gov/news/releases/2002/09/20020912-1.html>; Washington Post, June 2, 2002, p. A1; Washington Post, September 13, 2002, p.A1.

2. (back) Joint Resolution of April 20, 1898, [Res. 24] 30 Stat. 738.

3. (back) There was no direct military attack by Spain against the United States prior to the exchange of declarations of war by the nations, and initiation of hostilities by the United States in 1898. See *Declarations of War and Authorizations for the Use of Military Force: Background and Legal Implications*. CRS Report RL31133(pdf), by David M. Ackerman and Richard F. Grimmett. A notable event, the sinking of the U.S.S. Maine in Havana harbor, provided an additional argument for war against Spain for those advocating it in the United States. The actual cause of the sinking of the U.S.S. *Maine* in Havana harbor, even today, has not been definitively established. More recent scholarship argues that it was most likely *not* due to an external attack on the ship, such as the use of a mine by an outside party, but due to an internal explosion.

4. (back) 7 UST 196.

5. (back) 8 UST 660.

6. (back) 10 UST 379.

7. (back) For an excellent background discussion of U.S. policy toward the Caribbean and Central American nations during the first half of the 20th century see: Samuel Flagg Bemis, *A Diplomatic History of the United States*. New York. Holt, Rinehart and Winston, Inc. 1965, pp. 519-538. For a detailed historical study that provides valuable insights and commentary on U.S. actions taken toward Caribbean and Central American countries see chapters 9, 11, and 12 in Samuel Flagg Bemis, *The Latin American Policy of the United States*. New York. Harcourt, Brace & World, 1943. [reprinted in paperback in New York, by W.W. Norton & Company, Inc., 1967].

8. (back) Section 503(e) of the National Security Act of 1947, as amended, defines covert action as "An activity or activities of the United States Government to influence political, economic or military conditions abroad, where it is intended that the role of the United States Government will not be apparent or acknowledged publicly."

9. (back) For detailed background regarding the issues surrounding the possible use of "preemptive" military force against the Soviet missile sites being established in Cuba, and the deliberative process engaged in by President Kennedy and his key advisors, see the published transcripts of tape recordings made during their White House meetings in *The Kennedy Tapes: Inside the White House during the Cuban Missile Crisis*. Ernest R. May and Philip D. Zelikow (eds.). Cambridge, Massachusetts: Harvard University Press, 1997.

Senator DAYTON. This attack that's being contemplated would most likely destroy Saddam Hussein. I don't doubt the enormous military capabilities of our country and the courage of our fighting men and women, as we've seen most recently in Operation Enduring Freedom. But it would also, if the historical record is as I've stated, destroy a 213-year consistent foreign policy of this country and a 50-year or more military principle of this Nation which has served us well. It has not only protected our country and its people, it has elevated our moral leadership around the world and contributed enormously to the international stability and security of the planet and the saving of the human race from the terrible devastation of a nuclear holocaust.

This attack, if we undertook it, would be a shock to that world order of enormous magnitude. It would have, I believe, profound consequences for the future. There are other countries, as you are well aware, around the world who are developing weapons of mass destruction, including nuclear capabilities, and some of whom have governments who are unfriendly, even hostile, to the United States, countries who will inevitably experience leadership changes in the years ahead, which may produce leaders even more ominous to the United States' national security than we face today. If preemptive attacks on those growing future threats are viewed as our policy by other governments and nations around the world, and if this becomes an actual precedent, I, again, think we risk a dangerous destabilization of the international order and a serious damage to the national security of the United States.

So given the near-term and long-term consequences of these decisions, as enormous as they are, again, I have difficulty with the rush to judgment that we are told we must make or, again, we are told we are unpatriotic or blind or cowardly or irresponsible if we don't make this rush to judgment.

I have just a couple of more minutes, Mr. Chairman. Bear with me, please.

Last September 2001, after the dastardly attack against the United States, Congress acted swiftly, decisively and, in the Senate, unanimously to support the President. We passed a resolution that the President signed into law one week after September 11 that gave the President the broad, sweeping authority that he has used so well on behalf of this Nation. However, I look back—and I was not here then—in 1998, there was a very different timetable. In January that year, Iraq refused an inspection of presidential sites by the U.N. Special Commission to oversee the destruction of Iraq's weapons of mass destruction. President Clinton, then, requested a congressional resolution, and on February 2, the Repub-

lican majority leader responded. I'll just read some excerpts, and again, I ask that it be put in the record, Mr. Chairman.

Chairman LEVIN. It will be made part of the record.

Senator DAYTON. He stated, "I had hoped that we could get to the point where we could pass a resolution this week on Iraq. But we have really developed some physical problems, if nothing else"—skipping here—"So we have decided the most important thing is not to move so quickly but to make sure that we have had all the right questions asked and answered and that we have available to us the latest information about what is expected or what is going to be happening with our allies around the world."

It goes on: The Senate is known for its deliberate actions, and the longer I stay in the Senate, the more I have learned to appreciate it. It does help to give us time to think about the potential problems and the risks and the ramification and to, frankly, press the administration.

Despite our areas of agreement—Senator Daschle and I have been working together making sure every word is sanitized in the potential resolution—it is obvious we cannot get it done this week, for physical reasons as much as anything else. I remind my colleagues and the American people that it was 5 months after Saddam Hussein invaded Kuwait, 5 months before Congress passed a resolution authorizing the use of force to expel him. In this case, we have a bipartisan effort, trying to make sure that the right thing is going to be done and that the right language is developed. Unlike what we had in the early 1990s when the Speaker and Majority Leader were working to defeat the administration's policy, we now have a Speaker and a Majority Leader and the Democratic leader and the minority leader in the House all working together with the administration to make sure that the language is right and that the actions are right.

"Yes, more time may be needed for diplomacy and more time to think about the long-term plans, but a point will come when time will run out and action must go forward." Skipping ahead again: "But I just want to make that point clear today."

"Nobody should interpret the fact that we don't vote on a resolution today as meaning that we are not united in the fundamental principles. We are. But we want to make sure that when we do take military action, we have thought about all the ramifications, and the resolution we come up with will have the involvement of 100 Senators, with 100 Senators being present and voting, and that every word is the appropriate word that reflects the best interests of the American people."

[The information referred to follows:]

#### IRAQ

(SENATE—FEBRUARY 12, 1998)

Mr. LOTT. Mr. President, I believe that Senator Daschle will join me on the floor shortly because he and I would like to, in effect, have a joint statement with regard to Iraq because we want the message to be unambiguous, very clear to America and to our allies around the world, and to Iraq about our attitude and what our intentions are with regard to this very important matter.

I just had a call from Senator John Warner, who is in Russia today along with Senator Carl Levin. They are escorting Secretary of Defense Bill Cohen. They have already been to six countries since they were in Germany. I believe perhaps even

the Senator from Arizona, the Presiding Officer, was there. They have gone throughout the Arab world, and now they are in Russia.

He tells me that he believes that when they return, Secretary Cohen and the two Senators will bring a great deal of helpful information to the Senate and to the American people about what they have heard in the Arab world and what they have heard from our allies in those areas' meetings. They believe that they will be able to answer some of the very important questions that Senators have been asking. So we will look forward to their return.

I had hoped that we could get to the point where we could pass a resolution this week on Iraq. But we really developed some physical problems, if nothing else. Senator Warner and Senator Levin would like very much to be a part of the discussion about what the situation will be and how we should proceed on Iraq. They would like to be here. Other Senators are necessarily not going to be able to be here beyond this afternoon.

So we have decided that the most important thing is not to move so quickly but to make sure that we have had all the right questions asked and answered and that we have available to us the latest information about what is expected or what is going to be happening with our allies in the world.

I was noting, I say to Senator Daschle, that I just talked to Senator Warner in Russia, and he was telling me that Secretary Cohen and Senator Warner and Senator Levin are looking forward to coming back and giving us a full report on their trip to the Arab world. Now they are in Russia today.

Mr. President, I have no doubt that the entire world is watching the current crisis between Iraq and the international community unfold. This is another showdown caused by Saddam Hussein.

The Iraqi dictator has decided that his weapons of mass destruction program is more important than the welfare of his own people. At a time when we have been getting reports—in fact, we have seen children suffering from malnutrition—this dictator has been building \$1.5 billion in additional palaces. He has already endured 7 years of sanctions so that he can develop biological, chemical, and nuclear weapons—and the means to deliver them.

This is a very serious matter. For some time we—and I mean America and our allies—have been working to develop a resolution on Iraq that has broad bipartisan support and also one that would bring the situation under control there by diplomatic efforts hoping to avoid military action. But that has not happened yet.

I believe we are moving toward a consensus in the Senate on a number of the key issues that must be addressed as we look to the future. Here they are.

First of all, Saddam Hussein does pose a real threat to the region and to the entire world. I believe the Senate recognizes that. I hope that the American people recognize that. This is not a hypothetical danger that has been dreamed up by some armchair strategists. There is a long track record in this area of actions by Saddam Hussein. He poses a clear and present danger without equal in the post-cold-war-world. He is dangerous. He is a threat to his neighbors. He is a destabilizing force in the whole region. Yes, he is actually a threat all over the world including the United States. This is a man who has already invaded two of his neighbors. Iraq has used chemical weapons inside and outside its borders. It has launched missiles against Saudi Arabia and against Israel. Hussein tried to murder former President George Bush in 1993.

Now, we should not make any mistake and think that a military action, if it comes to that, is going to rehabilitate Saddam Hussein or even eliminate him. He does not have any desire to join the civilized world, apparently, and he has shown that he can survive even when the whole world has concerns with his conduct and has taken unified action to stop his aggression.

Second, I think there is a consensus in the Senate that military force is justified if diplomatic actions fail in responding to the threat that Saddam Hussein poses. The threat is serious and our response must be serious.

Now, any military force that is used does entail risks, to our military, to our allies and even to our country if there is an attempt at retaliation. The American people need to understand that, and we need to think about it carefully. We need to talk about the risks that are involved. That is one reason why, when we bring up a resolution, if it is necessary—and I assume it will be—we must make sure that every Senator who wants to be heard can be heard.

I remember when we had a similar debate back in the early 1990s. I think some 80 Senators spoke. Now, this time we won't have 500,000 troops amassed on the ground ready to go in, but it is still a very serious matter, and I want to make sure that we don't try to restrict Senators. In fact, we could not. Senator Daschle knows if we asked unanimous consent to bring this resolution up today and vote on it in 4 hours, we would not get it; the Senate is known for its deliberate actions. The

longer I stay in the Senate, the more I have learned to appreciate it. It does help to give us time to think about the potential problems and the risks and the ramifications and to, frankly, press the administration. I feel better this week than I did last week because of the responses we are getting about how this is being thought out and what would be the military action and what will be the long-term plans to deal with Saddam Hussein. We are beginning to get some answers now. I believe the administration is thinking harder about what those answers should be because the Senate, Republicans and Democrats, has raised these questions, not in a critical way, not in a threatening way, but in an honest way of saying, have you thought about this? What about this approach? Can we do more? I think that has served a very positive purpose.

Some people have said to me, even back in my own State, 'This is not a threat to us. Let them deal with that over there.' Who? Who is going to deal with it? If America does not lead, who is going to lead? Nobody else.

Now, our allies can, should, and, I believe, will join us if action is necessary. But we are going to have to lead the way. We are going to have to make the tough decisions. People need to understand that this threat could even apply to us. While it may be a direct threat of a Scud missile in the region with a chemical warhead even, it could very easily be a threat to Paris or some city in the U.S. involving anthrax that's been produced by Saddam Hussein.

These are terrible things to even think about, but you are dealing with a person who has already used terrible actions against his own people. So he is not so far removed. We are the ones who have to provide the direction. We have to make sure people understand it is a threat to the whole world.

In my view, the decisive use of force against Iraq coupled with the long-term strategy to eliminate the threat entails less risks in the long run than allowing Saddam Hussein's actions and ambitions to go unchecked. You cannot do it when you are dealing with a situation like this. In the words of former Secretary of State Jim Baker, 'The only thing we shouldn't do is do nothing.' We cannot allow that to be the result or what we do is nothing.

The administration has agreed with us that funding for the operations in and around Iraq require supplemental appropriations. We had very grave concerns by the Senator from Alaska, Mr. Stevens, and Senator Domenici about how much will this cost? How is it going to be paid for? We cannot continue to say 'just take it out of your hide' to the Pentagon; it is having an effect on morale, quality of life, on readiness and modernization. We already have a very high tempo for our military men and women in the Navy and Air Force. We are satisfied that they now have made a commitment that they are going to come up and ask for funding for both these purposes, in Bosnia and, if necessary, in Iraq. These will be emergency requests so it will not come out of necessary improvements in barracks or spare parts for aircraft, which are very important.

There is a consensus on seriously examining now I believe long-term policy options to increase the pressure on Saddam Hussein. The administration and Congress and our allies all look forward to dealing with a post-Saddam regime. But the question is how to get there.

That is intended not to be a threat or say we should violate the law; it is intended to start the discussion, start the thinking about how can we increase these pressures. We have to have a strategy to deal with whatever comes after the military option. Many things have been suggested. Toughen sanctions—not loosen sanctions, toughen sanctions. What about an embargo, what about expanding no-fly, no-drive zones? What about the support of opposition forces?

There is a long list of suggestions, some that I will not even put in the record here, but they are worth thinking about. Our model should be the Reagan doctrine of rollback, not the Truman doctrine of containment in this instance. I don't mean that as critically as it sounds. It is just that there are two different doctrines, and the doctrine here should be rollback, not containment.

Despite our areas of agreement that we have clearly reached—Senator Daschle and I have been working together making sure every word is sanitized in the potential resolution—it is obvious we cannot get it done this week for physical reasons as much as anything else. I remind my colleagues and the American people it was 5 months after Saddam Hussein invaded Kuwait, 5 months before Congress passed a resolution authorizing the use of force to expel him. In this case, we have a bipartisan effort, trying to make sure that the right thing is going to be done and that the right language is developed. Unlike what we had in the early 1990s when the Speaker and majority leader were working to defeat the administration's policy, you now have a Speaker and a majority leader and the Democratic leader and the minority leader in the House all working together with the administration to make sure that the language is right and that the actions are right.

Yes, more time may be needed for diplomacy and more time to think about the long-term plans, but a point will come when time will run out and action must go forward. When that comes, when U.S. Armed Forces are sent into harm's way, by the President of the United States, they will have the backing of the Senate and the American people. If the President makes the decision to deploy military force against the threat posed by Iraq, America will be united, united and praying for the safety of our men and women in uniform, united in hoping casualties are kept to a minimum, and united in hoping for and supporting a successful effort.

I just want to make that point clear today. Nobody should interpret the fact that we don't vote on a resolution today as meaning that we are not united in the fundamental principles. We are. But we want to make sure that when we do take military action, we have thought about all the ramifications and the resolution that we come up with will have the involvement of 100 Senators, with 100 Senators being present and voting, and that every word is the appropriate word that reflects the best interests of the American people.

So I am pleased to stand here this afternoon and make this statement and to assure my colleagues that I will continue to work with every Senator on both sides of the aisle to make sure we take the appropriate action, if it is necessary, when we return week after next.

Mr. President, I yield the floor and I am looking forward to hearing Senator Daschle's comments on this subject.

Senator DAYTON. I would just go on to point out that it was not until 6 months later, August 14, 1998, that President Clinton signed a resolution that had been passed by Congress along these lines and that it was one that did not, in fact, authorize the use of force against Iraq. It urged the President to take appropriate action. But 2 months later, on October 31, 1998, the so-called Iraq Liberation Act of 1998 was passed, which stated—and references have been made to this today and elsewhere—that it is the policy of the United States to support efforts to remove the regime headed by Saddam Hussein from power in Iraq, but it specifically did not authorize the use of force to carry that aim out. In fact, the President was attacked and criticized harshly by members of this body in December of 1998 when he initiated the bombing of Iraq, which I don't have time to go into.

But I just guess in light of all this the precedent in 1991 and 1998 was that this body take the caution and the care and the deliberation necessary. What is it that overrides all of that and is compelling us now to make a precipitous decision and take precipitous action authorize precipitous actions?

Secretary RUMSFELD. Senator Dayton, first, thank you for your generous comments.

Second, it bothers me greatly to hear those words you've used in a hearing that General Myers and I are participating in. As you indicated, neither he nor I would ever use words like you've repeated twice. Nor would the President, nor do I believe anyone in the administration would, and I think any implication to the contrary would be an enormous disservice.

I have no idea where you heard those words, but I would bet a dollar to a dime that no one in this administration would say that, and I can assure you I wouldn't, nor would I think it.

Senator DAYTON. I take that as seriously as you do, sir.

Secretary RUMSFELD. The issues that you've raised are important issues. The issues that the country is seizing are important issues. They need to be talked about. They need to be debated. They need to be discussed. I have raised this issue repeatedly before this committee and elsewhere for over a year. These are complicated questions. They are breaking new ground.



There is, in my view, nothing precipitous at all about what's being discussed here. President Clinton discussed it with a great deal of urgency. Eleven years have passed. I have personally discussed it here and with members of the House and with members of the Senate on numerous occasions.

We have moved into a new national security environment. It is different. The history you cited is interesting. It is important. It's relevant. But the circumstance we're in is notably different than when that history was written.

I'd take slight exception, although it's maybe a matter of semantics, but if you go back and think about the attack on Afghanistan. Afghanistan didn't attack us; al Qaeda did. They just happened to have been trained in Afghanistan, and we took anticipatory self-defense. We took a preventive action. We made a conscious decision that that country was a haven for those people, and they were training thousands of them and sending them all over the globe. They killed 3,000 of our people. So when one asks what's happened, what's different? What's different is 3,000 people were killed using admittedly unusual techniques, but basically conventional techniques, not weapons of mass destruction.

What's new is the nexus between terrorist networks like al Qaeda and terrorist states like Iraq, Syria, Iran, and others, and the fact that there are suicide bombers, who, if they start using weapons of mass destruction, are going to impose damage on our country and our friends and our allies around the world that will not be 3,000 but 30,000 people dead. In answer to the question what's different, what's happened, what's changed, I would say that's changed.

Second, go back to the Cuban Missile Crisis. The Soviet Union didn't stick missiles in Cuba. They didn't shoot missiles at the United States from Cuba. They tried to. They got started. President John F. Kennedy looked at it and allowed as how he thought that wasn't a very good idea. What did he do? He imposed a quarantine, a blockade, they used a euphemism for international law reasons and called it a "quarantine." That was preemptive. That was not waiting to be attacked. That was a decision that the risk to our country was sufficiently great that that administration, with the support of Congress, made a conscious decision to interject itself into it at great risk of a nuclear exchange and stopped it, not after it happened, not after people were dead, but before people were dead. Enormously important.

You have an important responsibility. Everyone here today has said this is a serious, critical judgment that each member of the House and Senate is going to be making. Each one should make it any way they feel best. They've got to do what they have to do. They have to think, search their soul, and make a judgment.

There are people today, as I have said earlier, in the Intelligence Committee, trying to connect the dots about September 11. How did it happen? What did we know? What evidence did we have? What was the immediacy? What should somebody have done? If we had had evidence on September 9 or 10, would I have favored an anticipatory self-defense? You bet.

Senator DAYTON. That's what I'm asking in the question, sir.

Secretary RUMSFELD. Right.

Senator DAYTON. What evidence, because you're right and there are times when a decision of that magnitude has to be made that suddenly. As you said, President Kennedy did so with full expectation at that time that it might very well result in a nuclear holocaust. Again, I'm not a historian, but many would say that's as close as we ever came to such. He was certainly aware of the enormity of the decisions that were being forced upon him by the events, and I guess I'm asking again the events are forcing the rapidity of this decision upon us——

Secretary RUMSFELD. I accept that.

Senator DAYTON. I accept that.

Secretary RUMSFELD. See, I don't see it as a rush to judgment myself. It seems to me 11 years is a long time, 16 resolutions violated is a long time, and 4 years since the inspectors were thrown out. Each year that goes by, those weapon programs are developing further and further, and, let there be no doubt, that's a fact.

Senator DAYTON. I'm not aware that we've been discussing, however, in the times we've been here and the like and you've obviously had your attention focused elsewhere. Again, I don't question at all the assessment of the seriousness of this.

Secretary RUMSFELD. No, I know you don't.

Senator DAYTON. Until sometime in August, this Senator was not aware of this kind of military initiative being seriously contemplated for as soon as it was now being discussed.

Secretary RUMSFELD. Well, if you go back to President Clinton's statement in 1998 or 1999——

Senator DAYTON. But in the last year and a half that——

Secretary RUMSFELD. —it's hard to fashion a statement that could have reflected a greater degree of urgency than the one that was just read.

Chairman LEVIN. I think we're going to have to end this.

Senator DAYTON. All right. I'm sorry. I guess I was over time.

Secretary RUMSFELD. Could I finish my thought?

Chairman LEVIN. Yes, if you could just finish the thought, because we want to get to Senator Akaka.

Secretary RUMSFELD. I will.

If someone is looking for the kind of evidence that would be used in a court of law to prove something beyond a reasonable doubt, it isn't going to happen. The only certainty we'll have is if, in fact, such an attack takes place, and that's too late.

The task of connecting the dots before the fact is a whale of a lot harder than doing it after the fact, and look how hard it is for the Intelligence Committee to try to look at those scraps of information and piece it together. Someone's going to have to take the evidence that I've submitted, that the President presented at the United Nations, that Secretary Powell is presenting today, and think about it and ask, how do we feel about moving into the 21st century, a world of weapons of mass destruction, and moving away from where we had traditionally, as you said, absorbed an attack, let it happen, and then marshalled our forces and gone on, and knowing that we were going to lose thousands of people? How do we live in the 21st century, when it isn't thousands, but potentially tens of thousands? That is not an easy question. I don't suggest it is. As far as I'm concerned, any member of the Senate or House can

vote any way they want and I will respect them and believe, in my heart, that they reached down in their souls.

Senator DAYTON. Thank you for your response. I just would say the intent of our policy was not to absorb attacks and then retaliate. It was to prevent attacks. I'll leave it with that, but I agree with you that the world is a different place and will continue to be.

Thank you both. Thank you, Mr. Chairman, for your indulgence. I apologize to Senator Akaka.

Chairman LEVIN. Senator Akaka.

Senator AKAKA. Thank you very much, Mr. Chairman. I ask that my full statement be placed in the record.

Chairman LEVIN. It will be made part of the record.

[The prepared statement of Senator Akaka follows:]

PREPARED STATEMENT BY SENATOR DANIEL K. AKAKA

Thank you Mr. Chairman for holding this series of hearings on the possibility of war with Iraq. There is no more important constitutional responsibility for Members of Congress than the decision to declare war. The threshold for this decision has to be high. Before the lives of America's youth are risked in a war against Iraq, a compelling case has to be made as to why the threat is immediate, why American interests are at stake, and whether the outcome is peace or more instability.

The burden has to be on those advocating war to justify why America's youth need to risk their future. We do not have a draft today. Our sailors and soldiers are volunteers but they are not mercenaries. We must take extra care to ensure that we do not endanger unnecessarily the lives of those who serve today. This is especially important because we will be asking American troops to do something that the Iraqi people are unable or unwilling to do themselves: rid Iraq of Saddam Hussein.

The need to justify such a course of action is particularly critical in the case of Iraq because, first, President Bush is advocating a pre-emptive strike against a potential threat to the American homeland when, traditionally, America has never sought war by striking first nor has America sought foreign entanglements, and, second, because we will be embarking on a process of democratic nation-building in a country and region of the world with little experience in democracy.

Thomas Friedman in an article entitled "Iraq, Upside Down," in Wednesday's *New York Times*—and I ask unanimous consent that his article be published in the hearing record following my comments—disagrees with the argument that we should go to war with Iraq to get rid of its weapons of mass destruction. He argues instead that democracy building is a more important objective if we want to end the cycle of hatred and poverty breeding generations of terrorists.

I agree with Mr. Friedman that this is an important objective and perhaps should be our key objective, but it is an extraordinarily difficult one. If we are going to succeed at it, we will not be able to do it alone. It will require the active support and the willing commitment of the international community. An American force occupying Baghdad will not be sufficient. We have already seen in Afghanistan that the limited deployment of American troops to isolated areas has not established a permanent climate of security and stability in that country. Just as a lasting peace in Afghanistan will require a long and sustained commitment by the international community both in terms of soldiers and humanitarian assistance, a similar peace in Iraq will require an equal commitment.

For this reason, I believe that we must work to gain multilateral support for our policy in Iraq. I commend the President for going to the United Nations for a new resolution establishing firm conditions and time lines for compliance by Saddam Hussein. Just as General Myers indicates in his submitted testimony today that our joint war fighting team will act "in concert with our partners" to defeat Iraq's military, if we are going to engage in a policy of nation-building in lands far from our shores, we are going to need as well to act in concert with the international community.

I look forward to the testimony and the additional hearings that the committee intends to hold on this subject.

[The information referred to follows:]

## IRAQ, UPSIDE DOWN

THE NEW YORK TIMES—SEPTEMBER 18, 2002

*By Thomas L. Friedman*

Recently, I've had the chance to travel around the country and do some call-in radio shows, during which the question of Iraq has come up often. There's what I can report from a totally unscientific sample: Don't believe the polls that a majority of Americans favor a military strike against Iraq. It's just not true.

It's also not true that the public is solidly against taking on Saddam Hussein. What is true is that most Americans are perplexed. The most oft-asked question I heard was some variation of: "How come all of a sudden we have to launch a war against Saddam? I realize that he's thumbed his nose at the U.N., and he has dangerous weapons, but he's never threatened us, and, if he does, couldn't we just vaporize him? What worries me are Osama and the terrorists still out there."

That's where I think most Americans are at. Deep down they believe that Saddam is "detractable." That is, he does not threaten the U.S. and he never has, because he has been deterred the way Russia, China, and North Korea have been. He knows that if he even hints at threatening us, we will destroy him. Saddam has always been homicidal, not suicidal. Indeed, he has spent a lifetime perfecting the art of survival—because he loves life more than he hates us.

No, what worries Americans are not the deterrables like Saddam. What worries them are the "undeterrables"—the kind of young Arab-Muslim men who hit us on September 11, and are still lurking. Americans would pay virtually any price to eliminate the threat from the undeterrables—the terrorists who hate us more than they love their own lives, and therefore cannot be deterred.

I share this view, which is why I think the Iraq debate is upside down. Most strategists insist that the reason we must go into Iraq—and the only reason—is to get rid of its weapons of mass destruction, not regime change and democracy building. I disagree.

I think the chances of Saddam being willing, or able, to use a weapon of mass destruction against us are being exaggerated. What terrifies me is the prospect of another September 11—in my mall, in my airport, in my downtown—triggered by angry young Muslims, motivated by some pseudo-religious radicalism cooked up in a mosque in Saudi Arabia, Egypt or Pakistan. I believe that the only way to begin defusing that threat is by changing the context in which these young men grow up—namely all the Arab-Muslim states that are failing at modernity and have become an engine for producing undeterrables.

So I am for invading Iraq only if we think that doing so can bring about regime change and democratization. Because what the Arab world desperately needs is a model that works—a progressive Arab regime that by its sheer existence would create pressure and inspiration for gradual democratization and modernization around the region.

I have no illusions about how difficult it would be to democratize a fractious Iraq. It would be a huge, long, costly task—if it is doable at all, and I am not embarrassed to say that I don't know if it is. All I know is that it's the most important task worth doing and worth debating. Because only by helping the Arabs gradually change their context—a context now dominated by anti-democratic regimes and anti-modernist religious leaders and educators—are we going to break the engine that is producing one generation after another of undeterrables.

These undeterrables are young men who are full of rage, because they are raised with a view of Islam as the most perfect form of monotheism, but they look around their home countries and see widespread poverty, ignorance and repression. They are humiliated by it, humiliated by the contrast with the West and how it makes them feel, and it is this humiliation—this poverty of dignity—that drives them to suicidal revenge. The quest for dignity is a powerful force in human relations.

Closing that dignity gap is a decades-long project. We can help, but it can succeed only if people there have the will. But maybe that's what we're starting to see. Look at how Palestinian legislators just voted no confidence in Arafat; look at how some courageous Arab thinkers produced an Arab Human Development Report, which declared that the Arab-Muslim world was backward because of its deficits of freedom, modern education and women's empowerment.

If we don't find some way to help these countries reverse these deficits now—while access to smaller and smaller nuclear weapons is still limited—their young, angry undeterrables will blow us up long before Saddam ever does.

Senator AKAKA. I want to commend Secretary Rumsfeld and General Myers for what they're doing in trying to get us through this and to come to some decision. My feeling has been that we need to work to gain multilateral support for our policy in Iraq. I want to take the time to commend the President for going to the United Nations for a new resolution establishing firm conditions and time lines for compliance by Saddam Hussein.

Just as General Myers indicates in his submitted testimony today, that our joint warfighting team will act in concert with our partners to defeat Iraq's military, we are going to engage in a policy of nation building in lands far from our shores. We are going to need, as well, to act in concert with the international community. I think we believe this and we're seeking this, and we hope it will come to this before we make our decision, or even after that.

Mr. Secretary, in the first Persian Gulf War, we did not drive our forces into Baghdad, in part because we did not want to get into conflict that could have been considered messy, of nation building in a post-Saddam Iraq. In response to Senator Nelson's question, you seemed, well, unclear as to what the administration's post-conflict strategy would be. My question to you is who is responsible in the administration for putting these plans together? To the best of your knowledge, are these being done?

Secretary RUMSFELD. Senator, with all respect, I didn't think I was unclear at all. I thought I was quite clear. The answer to the question is that the President of the United States is ultimately responsible, and he's assigned the Department of State to establish a group of people to think that issue through. What I was able to provide is the specifics that have, thus far, been reasonably well thought through, and then to acknowledge the reality of two things, two unknowns. One is that the United States undoubtedly would not be doing it alone. They'd be doing it either with the United Nations or with an international coalition, and other people would have voice in that. Second, maybe I'm old-fashioned, but I think the Iraqi people ought to have a voice in it, as well.

I'm not omniscient. I can't look down on the earth and say, well, this is how the U.N. would decide or this is how the coalition would decide, or this is how the Iraqi people would decide. I think that the lack of clarity reflects a respect for the reality that exists.

Senator AKAKA. General Myers, with the need for multilateral support, some have indicated that we need that kind of assistance. So my question is, can we defeat Iraq's military forces without any direct support from our allies?

General MYERS. Senator, obviously, depending on the type of military operation you engage in, it's usually made easier by support and help from allies, and we've had great support, so far on the war on terrorism, particularly the Afghanistan piece, but other pieces as well. In any potential conflict, it would be desirable to have certain allies and partners be with us, and they would all contribute, probably, in different ways.

I'm reminded of how the Japanese are contributing right now to our war on terrorism by providing, at my last count, 48 million gallons of fuel oil to our U.S. Navy ships that are using the Pacific to support the war on terrorism. So it might range from that to combat troops to overflight to basing to staging, anywhere we

might need to prosecute this war on terrorism. Certainly help from our friends, allies, and partners is a desirable thing.

Senator AKAKA. General Myers, switching to Afghanistan, has an assessment been made concerning the impact on our troop security in Afghanistan, their ability to continue the mission of eliminating al Qaeda, and, on Afghanistan's stability if we are forced to draw troops, intelligence, assets, and weapons away from Afghanistan for a war in Iraq? If you can share this assessment, I certainly would like to have a response.

General MYERS. Sir, we've even taken a broader look than that. As important as Afghanistan is, we've looked at the defense strategy that came out of the Quadrennial Defense Review and applied force structure to the tasks that are outlined in that strategy. The conclusion was that we have adequate force structure properly equipped to carry out the defense strategy. That would certainly include our ongoing operations in Afghanistan.

It's not so much an issue of the number of troops. We have, in fact, modest numbers inside Afghanistan. I think today the numbers are around 10,000, approximately. They'll probably go up and down over time as units rotate in, as units rotate out, as the need is there, as the need diminishes.

But you're right, there are some assets that are in short supply, and I think I indicated that in my opening statement, that intelligence, surveillance, and reconnaissance assets have historically been in short supply. We've tried to fix this through our budget requests in recent years. In 2002, we've made some headway there. You'll see some more requests for those type of assets in 2003. We have to prioritize them today. We have to prioritize them in peacetime, for that matter. We have to prioritize them today when we're in the global war on terrorism, and we'll have to prioritize them if we're asked to do something else.

But our conclusion is that we have sufficient assets to do whatever it is the President asks us to do.

Senator AKAKA. Thank you very much. My time has expired.

Chairman LEVIN. We'll limit the next round to one question each, given the hour.

Mr. Secretary, in various ways here today you've really signaled that you do not believe that inspections are a possible way to achieve disarmament. You've signaled that in so many different ways. You've said you don't see how it's possible without regime change.

I asked you a question about whether or not there is any chance at all that Saddam would open Iraq to full inspections and disarmament if the alternative was that he knew he would be destroyed, and you really did not answer that. You said that's just sort of not your area, that the State Department and the President are working that question.

Secretary RUMSFELD. Which question was that?

Chairman LEVIN. When I asked you, in your judgment, if there is any chance at all that Saddam Hussein would open Iraq to full inspections and disarmament if the alternative that he knew he faced to doing that was that he would be destroyed and removed from power.

Secretary RUMSFELD. Because he opened up to inspections?

Chairman LEVIN. Any chance. Any chance.

Secretary RUMSFELD. I'm sorry. I am still having trouble with the question. You say, is there any chance that Saddam Hussein would open up to inspections if he knew that, by opening up to inspections—

Chairman LEVIN. No, if he knew that the alternative to refusing to open up and disarm was that he would be destroyed.

Secretary RUMSFELD. Your guess is as good as mine.

Chairman LEVIN. Do you have a guess?

Secretary RUMSFELD. I really don't. I just don't know.

Chairman LEVIN. But my question is, is there any chance? Is there any chance?

Secretary RUMSFELD. There's always a chance of anything. The sky could fall.

Chairman LEVIN. It's about that. It's about that level of chance, I gather.

Secretary RUMSFELD. I don't know. I honestly just don't know. I mean, looking at it rationally, although I can't climb in his head. But, looking at it rationally, there have been plenty of dictators who have just up and left when things looked bleak and they've gone to live in some nice country, taken away all the money they've stolen, and there they are.

Chairman LEVIN. Then a moment ago, you said the only certainty that we'll have relative to weapons is after an attack.

Secretary RUMSFELD. No, I don't know.

Chairman LEVIN. After he uses them against us. After he attacks.

Secretary RUMSFELD. Ah, I think what I said was that you would gain perfect certainty as to what he would do after they are used.

Chairman LEVIN. Not quite. You said the only certainty, the only way that we can have any certainty about what he has is after he uses them.

Secretary RUMSFELD. Unless you have disarmed him.

Chairman LEVIN. You see, you didn't add the "unless." It's such an important point.

Secretary RUMSFELD. Well, I apologize. Maybe it's late in the day and I forgot to add it.

Chairman LEVIN. No, it's not a problem.

Secretary RUMSFELD. I forgot to add it, but obviously if you've disarmed him, then you have perfect certainty on the ground. I talked about that earlier today.

Chairman LEVIN. You do acknowledge that there's at least a possibility that he could be forced to disarm before he attacked?

Secretary RUMSFELD. Of course.

Chairman LEVIN. Without being attacked.

Secretary RUMSFELD. It is possible. He could wake up tomorrow morning and decide he should leave and go. It's possible he could wake up tomorrow morning and be sincere about inspections and invite everybody and change an 11-year behavior pattern.

Chairman LEVIN. So there's a lot at stake here in terms of whether we support a really good inspection regime and back it up with a threat of authorized force from the U.N.

Secretary RUMSFELD. There is a lot at stake.

Chairman LEVIN. There's understandable skepticism coming from you, and I think that's, again, understandable. But what there isn't is the support for what I thought the President asked at the U.N., which was, "We want robust inspections. We want disarmament." The message I'm getting from you today is, "It ain't possible without regime change." That's the message I'm getting.

Secretary RUMSFELD. Well, I hope you'll find that my testimony today is very much supportive of the President's speech in the U.N. I think if you reread it, you'll find that he was exactly where I am on what I've said today. He did not rule out inspections. He didn't even mention the word "inspections," to my knowledge. So I can't see any inconsistency with it.

I think that it's important to recognize that it's the Department of State that works with the U.N. on inspections and not the Department of Defense and that I am certainly not the world's leading expert. All I do is look at facts. When I get asked a question by a member of the Senate, I answer it to the best of my ability. If I get asked what's the pattern over the last 11 years, the pattern is that the U.N. has been jerked around consistently for 11 years. That's just the fact pattern.

Chairman LEVIN. I couldn't agree with you more. It's about time the U.N. ends it. We support that effort in the U.N.

Senator Warner.

Senator WARNER. Let me see if I can clarify this line of questioning, Secretary Rumsfeld. I think it's been a valuable hearing, I'll state that here and now, by both the Secretary and our Chairman, a very valuable hearing. You have indicated, and I agree with you, that the inspection regime that is now written up for Hans Blix and the one which Iraq has called upon to be used is not likely to produce anything of value, and it would be ineffective.

But I think where we need clarity is that Secretary of State Colin Powell, very courageously, is trying to negotiate with the Perm 5 and others, a blueprint of a regime for inspections with specific timetables, specific missions, specific dates, and an assumption of cooperation that could be effective. If that were devised, voted on affirmatively by the permanent members and others in the Security Council, it could possibly bring about a beginning toward disarmament. Am I correct in that?

Secretary RUMSFELD. I do not know. The last time I talked to Colin on this I was aware that others were proposing a variety of resolutions for the United Nations, but it's not clear to me that you're correct by suggesting that the United States has that type.

Senator WARNER. I've followed this as closely as I could.

Secretary RUMSFELD. You could be right.

Senator WARNER. But I thought we were engaging the Security Council in an effort to try and fashion a regime that the Security Council, of which we are a permanent member, would consider, "All right, this should be given a try." Otherwise, what is it we're negotiating up there right now?

Secretary RUMSFELD. The President's speech set out a position that he believed was the correct one.

Senator WARNER. I agree with our President.



Secretary RUMSFELD. Colin Powell's task is to then work with the other members and try to achieve something that's as close as possible to what the President set forth in his remarks.

My understanding—and again, the Secretary of State is the one dealing with this, not me—is that the last visibility I had into this—and you were there—there were others proposing a variety of resolutions or ideas, and it was in the discussion stage. Some included inspection regimes, some did not. So I think I answered you correctly when I said that, the last I knew, they may very well be being discussed, but it is not clear to me that it has been proposed by Secretary Powell. I just do not know.

Senator WARNER. All right. I don't have any information above yours except that I listened to him, and I made a joint appearance with him on Sunday. The Chairman and I appeared on "Late Edition" with him. I listened very carefully. Somehow I got the impression we were seeking to explore the option by which there could be a regime fashioned with very specific things and the clause in it in a resolution would be that if Iraq failed to meet all specifics in that resolution, then member nations, understandably, could resort to such use of force as they deem necessary to protect their security interests.

Secretary RUMSFELD. I think you're exactly right, that some countries have proposed that and that that is part of the discussion. It is just not clear to me that Colin did.

Senator WARNER. Well, we'll put that to one side.

Then I ask this question as a follow-up. In the event that a draft resolution is put forth at the Security Council, if any member of the Perm 5 were to cast a veto—not abstain, but cast a veto—wouldn't that have the effect of forcing the hand of those member nations which feel that their security interests are at risk? Given the current conditions of Saddam Hussein and his mass destruction weapon inventory, wouldn't that force their hand to have no other option but to use force, and that would, in all likelihood, be the United States and hopefully Great Britain?

Secretary RUMSFELD. That would be a judgment for the President, not me.

Senator WARNER. Thank you.

Chairman LEVIN. Last question.

Senator Dayton.

Senator DAYTON. Mr. Secretary, in your view, what must be done by Iraq that would give us the necessary assurance that our national security is not going to be threatened by his military capability? The inspections? I totally concur with your concerns about them, along with his dodging and weaving and delaying and the like. He has been duplicitous throughout all these years, as you've said, so is there anything that could be done that would give us the assurance necessary that that threat had been removed or brought within the constraints of the U.N. resolutions?

Secretary RUMSFELD. Senator, there's no question but that if Iraq were to comply with the U.N. resolutions, that they would have disarmed. They would not have any of those programs. They would also not be threatening their neighbors, they would not be doing a host of other things that they do that are represented in those resolutions. That is what this is about. There's no question but that if,

for whatever reason by whatever mechanism, it was clear that they had disarmed, that that would, I am confident, reassure the international community and the United States.

Senator DAYTON. Thank you.

Thank you, Mr. Chairman.

Chairman LEVIN. Senator Dayton, thank you.

Our witnesses, we want to thank you. We promised that you would be out of here by 6 o'clock. I believe we have kept that promise. We have kept you and us sort of on schedule. We are very much appreciative of your presence. It's been a very helpful hearing to us, and we stand adjourned.

[Questions for the record with answers supplied follow:]

#### QUESTIONS SUBMITTED BY SENATOR CARL LEVIN

##### DEPLOYMENTS AND READINESS

1. Senator LEVIN. Secretary Rumsfeld, when you took office almost 2 years ago, you asserted that U.S. Armed Forces were overstretched, negatively impacting readiness and morale. Your objective was to reduce the number of deployments. A year and a half later, you still find this problem. In June, you told this committee:

"Because we have underfunded and overused our forces, we find we are short a division, we are short airlift, we have been underfunding aging infrastructure and facilities, we are short on high-demand/low density assets, the aircraft fleet is aging at considerable and growing cost to maintain, the Navy is declining in numbers, and we are steadily falling below acceptable readiness standards."

According to *Newsweek* and *The New York Times*, you issued a memo in March to the service chiefs asserting:

". . . 'The entire force is facing the adverse results of the high-paced optempo and perstempo' . . . We are past the point where the Department can, without an unbelievably compelling reason, make any additional commitments . . . It is time [to] begin to aggressively reduce our current commitments.' "(May 6, 2002, reported by *Newsweek*)

What steps have you taken since March to remedy the operational tempo and readiness problem?

Secretary RUMSFELD. This issue is one of the most pressing challenges facing the Department, and is receiving our close attention. I have challenged everyone in the Department to examine every detail, task, fellowship, and assignment that diverts military personnel from performing their operational military duties. We are analyzing the nature and extent of the additional requirements, and the Department's ability to accommodate them by reprioritizing functions, using civilian personnel, the Reserve components, or commercial enterprises to perform other less critical duties. We are examining how to meet these requirements from both near term and longer-range perspectives, such as using technology to reduce the need for manpower in certain functions, and reviewing our current missions and overseas presence.

We are challenging each arrangement in which a military individual is working outside the Department of Defense. At the same time, we are aggressively pursuing the congressionally-directed reductions of the management headquarters activities in order to return military personnel to operational duties. We are also examining current missions and our overseas presence to determine whether there are areas in which we can reduce the deployment burden on the force.

One of our recent initiatives is to relieve the stress on those critical, specialized assets such as our Airborne Warning and Control System (AWACS). We are working ways to use similar assets to meet mission needs. For the AWACS, these include the Navy E-2C, the U.S. Customs Service P-3, and the ground based Sentinel radar. We are also working on ensuring we deploy these assets effectively. For example, if we combine forward operating locations, we realize good savings in the overhead requirements—logistics, staffing, force protection, spare assets, etc. Obviously, this is dependent on the specific mission need, but we've already identified a few places where we think this approach will help.

We are robustly funding those critical readiness enablers, such as spare parts and training, which underpin our combat power. We have also invested in new technologies and systems to transform our forces to meet future challenges. In sum-

mary, readiness remains a top priority of the Department, and we will do whatever it takes to keep our military forces the best in the world.

2. Senator LEVIN. Secretary Rumsfeld, a war with Iraq would certainly further exacerbate existing strains on the military. How will you manage this additional commitment so it does not negatively affect our ability to fight the al Qaeda network of terrorists, defend our homeland, and conduct other overseas missions?

Secretary RUMSFELD. A conflict with Iraq would be part of the global war on terrorism. Stopping regimes that support terror from acquiring weapons of mass destruction is a key objective of that war, and we can fight the various elements of the global war on terror simultaneously, including a conflict with Iraq if that should occur.

#### IMPACT OF OPERATIONAL TEMPO

3. Senator LEVIN. General Myers, in February you warned this committee about the impact the war on terrorism was having on operational tempo and readiness. You said:

“The war on terrorism had provided fresh validation of previous readiness assessments. Our forward deployed and first-to-fight forces remain capable of achieving the objectives of our defense strategy. However, we remain concerned about the effects of a sustained high operations tempo on the force, strategic lift and sustainment shortfalls, and shortages of ISR assets, as well as the challenges associated with WMD, antiterrorism, and force protection. Additionally, in some locations, we face operational limitations that may affect mission success.”

Two months later, in a “NewsHour” interview you said:

“We came out of the starting blocks, if you will, for Afghanistan at a full sprint. We’re very concerned about operational tempo and the impact it has on families and for the Reserve component, for their employers. We’re concerned about the impact it has on equipment. That’s sort of normal but we’re in increased operational tempo right now. So the services have some concerns.”

What are the operational limitations on mission success in the global war on terrorism that you were referring to in February?

General MYERS. The global war on terrorism, especially operations in Afghanistan and Homeland Defense, continue to expose operational limitations. There are several assets and capabilities we have kept a close eye on for some time now. Our low-density/high-demand assets, including Airborne Warning and Control System and special-purpose C-130s and helicopters, have been through a long period of surge operations. Additionally, intelligence, surveillance and reconnaissance platforms, communications pipelines, strategic lift assets, and air refueling capability (especially the KC-135s) have been stretched during the current campaign. I am continually impressed at how our military forces overcome such limitations with ingenuity and hard work.

4. Senator LEVIN. General Myers, do any of these limitations apply to a potential war with Iraq, and, given these limitations, how would an operation in Iraq affect our ability to fight the war on terrorism?

General MYERS. The United States military is fully capable of fighting the war on terrorism and addressing the threat from Iraq. Certainly the shortfalls that affect operational readiness and sustainability to this point will make a conflict in Iraq that much more challenging. However, these limitations do not impact our expectations for success in a potential Iraqi conflict. Contingency planning staffs at United States Central Command and in the Pentagon have been working tirelessly to maximize our military effectiveness, with the assets and capabilities available.

As for operations in Iraq affecting the global war on terrorism, I find it difficult to separate the two. Removing the Iraqi regime contributes to the war on terrorism and contributes significantly to the near- and long-term security of the Nation and the world.

5. Senator LEVIN. General Myers, you mention in your testimony that “if our operations on the war on terrorism are expanded, we will be required to prioritize the employment of . . . enabling units.” How would you do this? Which is a higher priority—fighting a war against Iraq or fighting the war on terrorism?

General MYERS. The United States military is fully capable of fighting the war on terrorism and addressing the threat from Iraq.

If the question is, “How does Iraq fit into the war on terrorism?” The answer is, removing the Iraqi regime contributes to the war on terrorism. Iraq has been named by the State Department as a state sponsor of terrorism. In fact, Iraq is a “Charter Member” of the State Department’s list, having been on that list since 1984. Iraq has weapons of mass destruction and a proven willingness to use them. They are also aggressively seeking to acquire nuclear weapons. If Iraq were to give such weapons to terrorists, the attacks we suffered on September 11 might be as President Bush said, “merely a prelude to far greater horrors.”

“Enabling Units” consist of low-density/high-demand assets such as special operations forces, some intelligence collection platforms, and other unique capabilities. Prioritizing enabling units is a task performed on a daily basis, in peacetime or times of conflict. If we were to conduct military operations against Iraq, enabling units would be employed based on priorities established by the Secretary of Defense, just as they are now.

#### IMPACT OF ATTACK ON IRAQ ON THE WAR ON TERRORISM

6. Senator LEVIN. Secretary Rumsfeld, you pose a question in your testimony about whether an attack on Iraq will disrupt and distract the U.S. from the war on terrorism. You answer your own question by stating that Iraq is a part of the global war on terror. Even if this is the case, what impact would fighting in Iraq have on our ability to keep fighting al Qaeda terrorists in Afghanistan, Yemen, Southeast Asia, and other countries and regions?

Secretary RUMSFELD. Today, we have sufficient forces to continue our ongoing operations, meet our international commitments, and continue to protect the American homeland. At the same time, some key units are in high demand. The mobilization of the Guard and Reserve has helped to reduce the stress on some of the key units. Any major combat operation will of course require us to prioritize the tasks given to units. The foundation of our success remains our soldiers, sailors, airmen, marines, and coast guardsmen. Included in these forces are our civilians and the Reserve component. Superior training, leadership and discipline are the core of our effectiveness.

#### U.S. MILITARY STRATEGY (QUADRENNIAL DEFENSE REVIEW)

7. Senator LEVIN. Secretary Rumsfeld, your testimony points out that last year you introduced a new defense strategy that has four main components: defending the homeland, winning decisively in a major regional conflict, swiftly defeating an aggressor in another theater, and simultaneously conducting lesser contingencies.

It seems to me much of the strategy is being currently performed—homeland defense, lesser contingencies, and the global war on terrorism, which I would call a major contingency. Would you characterize the global war on terrorism as a major contingency?

Secretary RUMSFELD. First let me be clear by saying that our defense strategy has four defense policy goals: assuring allies and friends, dissuading future military competition, deterring threats and coercion against U.S. interests, and, if necessary, decisively defeating any adversary. The four components that you mention reflect the new force-sizing construct that supports these four defense policy goals.

Winning the war on terrorism is the top priority of our Armed Forces. It is the first war of a new era and our Armed Forces are engaged to accomplish this mission. Because this war takes many forms, and is being fought in many places and using different means, it is unlike any other challenge we have faced. Some phases of our military operations in this war could be considered lesser contingencies (e.g., our current operations in the Philippines), while others might take on more significant dimensions.

8. Senator LEVIN. Secretary Rumsfeld, we are here today to discuss engaging in another major contingency, one in which we would presumably aim to “swiftly defeat” our adversaries. Meanwhile, our ongoing war-level effort, occurring in multiple regions, is not ending quickly—indeed, you and others in the administration have speculated that it might last 5 years or longer.

Are you planning any revisions to your strategy to reconcile it with what we are currently doing—fighting a long war against an amorphous foe and the possibility of another major contingency?

Secretary RUMSFELD. We are not planning revisions to the U.S. defense strategy. We are changing—indeed transforming—practically everything else we do to support the new strategy.

On September 11, we learned that the way America goes to war needs to be assessed continuously. It is necessary to refresh our war plans in order to respond to the threats from terrorists that we face today. Last year, we fashioned a new defense strategy and force planning construct, which requires that we have the capability to do the following: defend the homeland, undertake a major regional conflict and win decisively—including occupying a country and changing its regime, if necessary—swiftly defeat another aggressor in another theater, and simultaneously conduct a number of lesser contingencies such as Bosnia, Kosovo, and Afghanistan. We are transforming our force as we fight the war on terrorism and examining our war plans to ensure that they support the strategy in the best way possible.

9. Senator LEVIN. Secretary Rumsfeld, last June you testified that one of the reasons for revising the previous administration's strategy was that it was too ambitious. You said that the "erosion in the capability of the force means that the risks we would face today and tomorrow are higher than they would have been when the two-MTW standard was established."

What has changed in the last year to make you believe that a force that could not accomplish a two-war strategy then can be expected to do so now?

Secretary RUMSFELD. Changing conditions have led to significant changes to U.S. defense strategy. We have a broader set of challenges facing us today and, therefore, are developing broader capabilities. We also plan to fight wars differently. Our initial successes in Afghanistan, for example, were the direct result of a new style of warfare. Special Operations Forces leveraged long-range air power launched from carriers in the Arabian Sea, land bases in the region, and even the continental United States. These same forces used a combination of intelligence assets to provide persistent surveillance and indispensable human intelligence.

We are examining our plans and capabilities so as to fight innovatively in other possible contingencies. For example, we recognize that today you can have overwhelming force, conceivably, with lesser numbers because the lethality is equal to or greater than before. It has been a mistake to measure the quantity of forces required for a mission and fail to look at the effectiveness of those forces.

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#### QUESTIONS SUBMITTED BY SENATOR MARY L. LANDRIEU

##### FORCE STRENGTH

10. Senator LANDRIEU. Secretary Rumsfeld and General Myers, it would seem that lessons learned from previous U.N. inspectors in Iraq would dictate that they will need military support to sustain their efforts. Do you intend to increase the number of troops in the region, even as the inspectors are performing their U.N. duties? If so, can you sustain this buildup with even more troops committed if we go to war? Would Iraq not see this buildup as an act of war?

Secretary RUMSFELD and General MYERS. The United Nations Security Council has not settled on the specific language of a new resolution on the situation in Iraq. The United States government's position is that the resolution should require immediate, unconditional and unrestricted access to all areas in Iraq as a precondition of any agreement to resume weapons inspections. As was the case with United Nations Special Commission in the previous inspection commission, Iraq will also be required to ensure the safety and security of the inspectors. A failure to meet those conditions would then constitute another breach of Iraq's obligations.

The United States military continues to maintain a significant force presence in the region. That said, we do not intend to increase the number of troops in the region for the purpose of providing support to the weapons inspectors. Nonetheless, we retain the ability to change our force posture in the region to be ready to deal with future changes in the threat conditions.

11. Senator LANDRIEU. General Myers, your prepared testimony states that the U.S. is currently using 15–20 percent of our major combat units to sustain current operations. If the President directs the military to assemble a force for an invasion, it will no doubt increase this number.

If the U.S. should deploy troops with the intention of changing the regime in Iraq, will our forces be able to address any contingencies that may erupt in other parts of the world?

General MYERS. The defense strategy resulting from the Quadrennial Defense Review outlined missions that the military must be able to conduct. Our forces are structured to respond to those worldwide missions. We have an adequate force structure that is properly equipped to carry out our strategy. We have sufficient ca-

pability to conduct effective operations against Iraq while maintaining other aspects of the war on terrorism, protecting the homeland, and keeping our commitments in other regions of the world.

In any potential conflict, it is desirable to have allies and partners contributing in different ways. Their support may be in the form of combat troops, supplies, over-flight rights or staging rights. We will continue to work with our partners to execute the global war on terrorism. This does require prioritizing some of our critical resources that are in short supply. But the Joint Chiefs and I are confident that we can accomplish whatever mission the President asks of our Armed Forces.

#### DEPLOYMENT TIME-FRAME

12. Senator LANDRIEU. General Myers, one of the lessons that we certainly learned during Operations Desert Shield/Desert Storm is that it took nearly 6 months for the United States to position its forces in Saudi Arabia. In that time, a still potent Iraqi army could have crossed the border into Saudi Arabia and inflicted great damage on the assembling American force. In your testimony, you made note of the fact that the military has made great improvements in our ability to deploy forces to a theater of conflict.

If the President should give you the green light to begin assembling an invasion force for Iraq, how long would it take for the U.S. to deploy the appropriately-sized force to the region?

General MYERS. Improvements in mobility assets, deployment infrastructure and pre-positioned combat unit sets contribute significantly to our ability to deploy and execute combat missions much faster than during Operations Desert Shield and Desert Storm. Investments in strategic airlift and sealift power-projection platforms have greatly improved the deployment responsiveness and sustainment capability of our forces. Though I cannot comment on specific deployment timelines for operational security reasons, I can assure you that should the President give the authorization, our forces are prepared to deploy swiftly and will be combat ready. With regard to potential threats during the deployment phase, our planning process takes them into account. We are prepared to execute the mission if it is asked of us and are confident of victory.

#### IRAQI TROOP MOVEMENT

13. Senator LANDRIEU. General Myers, without getting into anything classified, what sort of preparation, build-up, or troop movements are you seeing by the Iraqis? Would you elaborate on some of the equipment they received legally under sanctions, which they have modified to become weapons transports?

General MYERS. [Deleted.]

#### IRAQI CAPABILITIES

14. Senator LANDRIEU. General Myers, in your prepared testimony, you list the current capabilities of the Iraqi army. You stated that Iraq currently has 2,000 tanks, 3,500 armored personnel carriers (APCs), and 300 jet aircraft. There is no doubt in my mind that 10 years of economic sanctions have had an effect on the readiness of this force, particularly in the inability of the Iraqi regime to acquire spare parts for its military.

Do you have any estimates of what portion of the Iraqi army is actually combat-ready and poses a threat to any American troops who may be sent over there?

General MYERS. During the last several years, Iraq has focused its efforts in acquiring spare parts through smuggling and abuse of the oil for food program to preserve its combat power. Emphasis has been placed first on maintaining the combat capability of the Republican Guard, then the Army's Armor and Mechanized formations, while its less capable infantry units were forced to make do with less. The Iraqi Air Force has also suffered, with pilots averaging less than 30 hours of flight time per year. Many airplanes have mechanical difficulties. Where the readiness of Iraq's ground forces has suffered the most is in its combat support and combat service support sectors. Shortages of everything from trucks, tires, batteries and uniforms are endemic. These shortages are a major factor in limiting Iraq's offensive capability but will not be so debilitating when Iraq is defending.

## FIGHTING THE WAR

15. Senator LANDRIEU. Secretary Rumsfeld and General Myers, recently Congressman Skelton quoted Carl von Clausewitz, who said, "In developing strategy, it is imperative not to take the first step without considering the last." Along these lines, we have not yet really concluded operations in Afghanistan and we are using our Special Operators in Yemen, East Africa, and other locations. Do we have the resources to win this war?

Secretary RUMSFELD and General MYERS. Yes, we have the resources to win the war. Although it is true that our Special Operations (SO) personnel and assets are heavily engaged worldwide, United States Special Operations Command (USSOCOM) carefully manages their employment. USSOCOM is currently able to support existing and projected requirements; however, we will have to very carefully manage SO aircraft.

16. Senator LANDRIEU. Secretary Rumsfeld and General Myers, do we anticipate a war with Iraq as being a largely urban, "door-to-door" conflict? If so, will we be spreading our Special Operators too thin? If we are forced into urban warfare, do we have enough foreign language speakers to ensure our troops have the greatest chance of survival and success at helping the people of Iraq understand our mission there and at helping develop support for a democratic government?

Secretary RUMSFELD and General MYERS. Our conflict is with Iraq's brutal and corrupt regime. It is not with the innocent people of Iraq who have been suffering horribly under his tyrannical reign. America acts not to conquer, but to liberate; we seek friendship with the Iraqi people and offer to help them build a future of stability and self-determination.

The Iraqi regime has committed gross human rights violations against Iraq's citizens, including rape, torture, and genocide. He has brutalized the Iraqi people. The regime has lost its legitimacy, not only in our eyes but also, I believe, in the eyes of most Iraqis as well.

However, should urban combat occur, the United States military is up to the challenge. We train for it, we have planned for it, and we are prepared for the possibility.

As for spreading our special operators too thin, again, the President has not made a decision to use military force against Iraq. Until such a decision has been made, discussion of troop movements and dispositions would be premature.

17. Senator LANDRIEU. Secretary Rumsfeld and General Myers, some of Afghanistan's very basic "lessons learned" demonstrate a need for better equipment, including backpacks that do not rip, more efficient and lighter radios that would take less time to set up and break down when calling in a position or an air strike, longer battery life for radios and computers that would enable ground troops to communicate longer with command centers and close air support aircraft, etc. Have we resolved these problems?

Secretary RUMSFELD and General MYERS. We continue to address and resolve problems with our equipment. First, in a general sense, we all are aware that the U.S. Armed Forces field the best equipment of any armed force in the world, however, real world operations sometimes uncover shortfalls in design or workmanship in our equipment that wasn't predicted. Our feedback process is robust and allows us to report material issues back to the procuring organizations to allow them to find solutions. Let us take the Modular Lightweight Load-bearing Equipment (MOLLE 2) backpack as an example of which you alluded to. The MOLLE 2 incorporated design changes that were a direct result of experience with the original MOLLE. The MOLLE 2 design is considered a more capable backpack than its predecessor, but during its use in Afghanistan some issues were acknowledged. The Marine Corps Systems Command was quick to recognize this and issued a solicitation for an improved MOLLE 2 backpack that will incorporate lessons learned from Afghanistan.

For more complex weapons systems the process to address deficiencies may require more time to resolve, but feedback mechanisms are in effect at all of our procuring organizations that allow for product shortfalls to be known. Technology insertion and spiral development help us to make the necessary changes in our equipment as we discover gaps in equipment capability.

18. Senator LANDRIEU. Secretary Rumsfeld and General Myers, what is our specific objective in Iraq? What will it cost us to achieve that objective under the best and worst case scenarios?

Secretary RUMSFELD and General MYERS. We want to see an end to:

- The threat from Iraq's weapons of mass destruction
- The threat from Iraq to its neighbors and the region
- The regime's sponsorship of terror
- The oppression of the Iraqi people

As far as the issue of costs, we must reiterate the President has made no decision whether to use military force against Iraq. If a decision is eventually made to use military force, the costs incurred, whatever they will be, must be weighed against the cost of not acting at all—for example, against the danger that a nuclear-armed Iraq would pose to the entire Middle East or that terrorists armed with WMD could pose to the United States and our friends and allies.

19. Senator LANDRIEU. Secretary Rumsfeld and General Myers, Iraq has used chemical weapons against its own people, so it is a natural assumption that it would not hesitate to use them on U.S. troops.

Why would the threat of massive retaliation, which worked well during the Gulf War, not elicit the same fear from Iraq now? In addition, anticipating their use of these weapons, our troops will be spending much of their time in Mission Operation Protective Posture (MOPP) 2 or higher, creating a difficult work environment. How do we plan to compensate for the loss of manpower and loss of dexterity to perform basic tasks while in higher MOPP levels?

Secretary RUMSFELD and General MYERS. If war occurred, we would seek by a variety of means to prevent or minimize Iraqi use of WMD against us and coalition forces, as well as against neighboring countries. We would seek to destroy Iraqi WMD and delivery systems and to employ other active and passive countermeasures. We would also, through our declaratory policy, make clear that any individual in the Iraqi chain of command involved in implementation of an order to use WMD would be held personally accountable. We believe that this would in its own way contribute to deterrence.

As you mentioned, if our soldiers will spend a significant amount of time in Mission-Oriented Protective Posture their ability to operate will be degraded. It is imperative that we employ a strategy that denies Iraq the ability to effectively employ these weapons systems. In order to mitigate the Iraqi WMD threat and protect our forces in the field, we will:

- Identify, attack, and destroy his WMD delivery systems to deny his ability to employ them against us and coalition forces.
- Employ Special Operations and conventional forces to isolate chemical and biological production and storage facilities to deny their use by Iraqi forces.
- Employ active and passive defensive countermeasures, i.e., theater missile defense, environmental surveillance, and individual protection to protect the force.
- Through aggressive 10 operations encourage members of the Iraqi military not to employ WMD if ordered to do so. Military leaders will be held accountable under international law if they are involved in the employment of WMD.

#### LONG-TERM COMMITMENT TO STABILIZE IRAQ

20. Senator LANDRIEU. Secretary Rumsfeld and General Myers, in planning for the inevitability of a very complex and long undertaking of democratization in Iraq (which would logically follow a regime change), how will we unite Shi'a, Sunni, and Kurd factions to ensure a foothold of democracy in the center of the Arab world?

Secretary RUMSFELD and General MYERS. If a decision were to be made to conduct military operations in Iraq, those operations would be only one part of a unified U.S. Government and international effort. The task of rebuilding Iraq would be one that the United States committed itself to for the long-term, much like in Afghanistan. While there are various factions in Iraq, as you have noted, all reports agree that these factions are united in their desire to see the current Iraqi regime go. The U.S. Government has made progress in encouraging their cooperation. In particular, we are encouraging them to declare their agreement on fundamental principles regarding Iraq's territorial integrity, representative government, renunciation of WMD, and commitment to peace with neighboring countries.

#### IRAQI OPPOSITION GROUPS

21. Senator LANDRIEU. Secretary Rumsfeld and General Myers, the Iraqi National Congress (INC) gave us a glimmer of hope that Saddam Hussein would have been



ousted by his people in 1992, but the coup failed. Afterwards, the INC basically collapsed in 1994–1995 due to in-fighting over the diverse goals of its member factions. Some INC leaders feel that they could be militarily successful in the future with additional resources and training. Can the opposition groups topple Saddam with our assistance and without our mounting a full invasion? If so, will we be able to provide the resources needed to sustain democracy in Iraq by utilizing the INC, the Iraqi National Accord (INA), or other factions which may emerge as opposition forces?

Secretary RUMSFELD. and General MYERS. It would be presumptuous to speak for the opposition group leaders as to their capabilities, but the scenario you have laid out is not our current reality. As President Bush stated, we are committed to seeing Iraqi regime disarmed of WMDs, by one means or another. In this effort we are also committed to cooperating with those opposition groups who are committed to this goal.

#### IMMUNIZATIONS

22. Senator LANDRIEU. General Myers, your prepared testimony cites our improved ability to ensure that all of our forces will be medically prepared with the proper immunizations before deploying to a theater of conflict.

What regimen of immunizations would be necessary, and how would it differ from the one given to troops deploying for Operations Desert Shield/Desert Storm? If there are new drugs being administered, have they been fully screened for the side effects they might have on our troops, such as future birth defects? If there are side effects, will your average private be informed of them?

General MYERS. All Service members, even those not involved in a deployment, are vaccinated against tetanus, diphtheria, influenza (given annually), hepatitis A, measles and polio. All Service members traveling overseas are protected by immunization against an array of infectious-disease threats. All deployed personnel receive typhoid vaccine. Personnel traveling to areas of higher risk will receive anthrax vaccine to protect them against that known lethal threat. In addition, U.S. Central Command requires personnel deploying to its area of responsibility (AOR) to be current in yellow fever and meningococcal immunizations. There are additional vaccination requirements specific to individual Services and to certain military occupations (e.g., hepatitis B, varicella, pneumococcal and rabies). For example, medical personnel are required to have hepatitis B vaccination and personnel without a spleen are required to have pneumococcal vaccination.

The Department of Defense is using vaccines to protect against the same diseases as in Operations Desert Shield and Desert Storm, although we are now using several different products (hepatitis A vaccine, inactivated polio virus vaccine, and typhoid vaccine) that are somewhat different from the products used during Operations Desert Shield and Desert Storm (immune globulin, oral polio virus vaccine, and a different form of the typhoid vaccine). Along with current American public health practice, the military has switched to using inactivated polio virus vaccine to prevent polio virus infections, and now uses hepatitis A vaccine, which is much more effective and safer than immune globulin in preventing hepatitis A infection. In addition, as noted above, the Department of Defense is now immunizing troops in designated higher threat areas against the threat of anthrax with the Food and Drug Administration (FDA)-licensed vaccine.

The Department of Defense, along with other agencies of the Federal Government, is examining the need for smallpox vaccination in order to protect critical military capabilities.

There are a number of biological and chemical warfare threats for which no FDA-licensed countermeasure has been developed thus far. In some cases, vaccines or drugs have been developed, but not licensed. When personnel deploy to theaters where the risk of exposure to particular biological and chemical warfare agents is high and no FDA-licensed countermeasure exists, we prepare for use of medical countermeasures under what is known as an Investigational New Drug (IND) protocol. If the decision is made to use any IND, we will follow all applicable federal regulations, including only using protocols approved by FDA. Use of an IND requires the informed consent of the individual receiving the medication, unless a presidential waiver is granted. A key part of any IND protocol is education and health risk communication for those who will receive the countermeasure, even if informed consent were to be waived by the President.

It is our responsibility and our practice to inform Service members about the medical measures we use to protect them. It is our policy that all deploying personnel receive a pre-deployment health threat briefing that provides information on health threats and countermeasures, to include applicable immunizations.

## QUESTIONS SUBMITTED BY SENATOR DANIEL K. AKAKA

## IRAQ'S AFTERMATH

23. Senator AKAKA. Secretary Rumsfeld, in the first Persian Gulf War, we did not drive our forces into Baghdad in part because we did not want to get into the messy job of nation-building in a post-Saddam Iraq. Now we are proposing to do exactly that. What is the administration's post-conflict strategy? Do you envision an Iraqi opposition taking control of Iraq and, if so, which group, or do you see Iraq being under a type of United Nations trusteeship?

Secretary RUMSFELD. The U.S. Government is encouraging the Iraqi opposition groups to join together to promulgate a common set of principles around which the Iraqi people can rally. How quickly these opposition groups, joined by prominent Iraqis still residing in Iraq, can coalesce into an effective force that can play a role in the creation of a broad-based, representative government in Iraq remains to be seen. In any case, it would be premature for me now to speculate on the type of government that would exist in Iraq in the immediate aftermath of a conflict, should one occur.

In any case, if regime change occurs, the U.S. will not abandon the Iraqi people. We would seek, together with other concerned nations, to assist the Iraqi people in getting back on their feet economically as well as in establishing a broadly representative government.

24. Senator AKAKA. Secretary Rumsfeld, in your statement before the House Armed Services Committee on September 18, you raise our approach to Afghanistan as an example of how we will bring democracy and stability to Iraq. The situation in Afghanistan continues to be very unsettled. How long are you planning to keep troops in Iraq following Saddam's overthrow?

Secretary RUMSFELD. Our desire would be to remain in Iraq militarily for no longer than needed. The post-Saddam situation is unknowable, but, before departing, the U.S. would work to ensure that a new government is broadly representative, renounces WMD, poses no threat to its people or its neighbors, and does not engage in activities that pose a threat to international stability. Once again, our intention is to stay militarily as long as necessary, but not a minute longer.

## GAINING FOREIGN SUPPORT

25. Senator AKAKA. Secretary Rumsfeld, in your statement before the House Armed Services Committee on September 18, you said that there are a number of countries who back getting rid of Saddam but are reluctant to say so publicly. Are some of those countries asking or suggesting that they would support military action if they received something in return, such as substantial increases in foreign aid or some other type of reward?

Secretary RUMSFELD. When friendly countries come on board to join this possible coalition, they will do so because they agree that the Iraqi regime is a threat to international peace and security. Some of our friends may choose not to cooperate fully; however, others will.

The costs of a conflict—in terms of disruption of oil supplies, among other things—may be borne disproportionately by some of our friends, and we may wish to compensate them in some manner.

## QUESTIONS SUBMITTED BY SENATOR JOHN MCCAIN

## IRAQI CAPABILITIES

26. Senator MCCAIN. Secretary Rumsfeld and General Myers, how significantly has the Iraqi Ground and Air Order of Battle and capabilities changed since we faced them in 1991? Based on those changes, how differently will the United States need to proceed to bring about a regime change and the destruction of the Iraqi weapons of mass destruction program compared to our military tactics in 1991?

Secretary RUMSFELD and General MYERS. Compared to 1990, the Iraqi regime's military forces are down by roughly 50–60 percent. The Iraqi military also suffers from poor morale and low quality training. However, Iraq continues to spend a considerable sum on rebuilding its military, including air defense systems and command and control networks.

The U.S. military, on the other hand, has improved substantially in the past 12 years. We have considerably improved our intelligence, surveillance and reconnaissance capabilities since Operation Desert Storm. We have also substantially im-

proved our command and control capabilities. Our Nation's military can gather intelligence, plan operations, deploy and execute combat missions much faster today than 12 years ago. In addition, in Desert Storm precision weapons were used 10 percent of the time. In Afghanistan, we used precision weapons about 60 percent of the time. Especially compared with the Iraqi military, we are a truly superior force in every regard.

The tactics required for regime change and destruction of Iraqi WMD would be different from those employed during Operation Desert Storm.

27. Senator MCCAIN. Secretary Rumsfeld and General Myers, what is your estimate of Iraq's development of weapons of mass destruction? How deployable are these weapons systems and how much of a threat do you feel they pose to our military personnel? How much of a threat do they pose to civilian populations in the region?

Secretary RUMSFELD and General MYERS. Iraq possesses a credible WMD threat. Many of the delivery systems are mobile and pose a significant threat to our forces in the field and present a very real threat to the civilian populations in the region. It is our assessment that Iraq could develop a crude nuclear weapon within 1 year, if Iraq obtained fissile material from a foreign source. Iraq can quickly convert legitimate facilities for biological warfare use and is capable of producing a wide variety of agents including anthrax, botulinum toxin, ricin gas, gangrene and aflatoxin. Iraq is researching, testing, producing and weaponizing BW agents. Iraq possesses at least 6,000 CW bombs, 15,000 artillery rockets capable of holding nerve agents and between 100 and 500 metric tons of VX, cyclosarin, sarin and mustard agents. Iraq possesses a small force of Al Hussein Scud-derivative Medium Range Ballistic Missiles with an estimated range of 900 km, Al Samoud Short Range Ballistic Missiles with an estimated range of 150km and Ababil Short Range Ballistic Missiles with an estimated range of 150km, all capable of delivering chemical and biological weapons.

#### PREPARING FOR WAR

28. Senator MCCAIN. Secretary Rumsfeld and General Myers, I was surprised to hear President Bush's top economic advisor, Lawrence Lindsey, estimate that the U.S. may have to spend between \$100 billion and \$200 billion to fight Iraq. He obviously must have applied some economic model based on the number of troops, ships, and airplanes that may be used. Would you please discuss your estimates as to the number of service members that may be required to attack and oust Saddam Hussein? Does adequate logistical support or a logistical train exist in the Persian Gulf region to support servicemen and women when we choose to attack Iraq?

Secretary RUMSFELD and General MYERS. While not going into the specific operational details, should war be necessary, we will employ sufficient force to win quickly and decisively. There are sufficient number of Service members available, both active and reserve, to support offensive operations in Iraq, as approved by the President. We also have sufficient logistic facilities, supplies and equipment to support our personnel who will deploy to the Persian Gulf region. Our long-term presence in the Persian Gulf region has enabled us to establish and maintain a mature logistic pipeline to support large-scale military operations. Our en-route infrastructure is adequate to support the air and sea lines of communication into and out of Southwest Asia. As the President has noted, while the cost of a war would be substantial, the cost of allowing Saddam to continue his reign of terror and WMD build-up would ultimately be much more costly, both in terms of loss of life and freedom and in financial costs.

29. Senator MCCAIN. Secretary Rumsfeld and General Myers, there have been press reports that our precision-guided munitions stockpiles and personnel levels are inadequate with regards to strategy against Iraq. Please discuss.

Secretary RUMSFELD and General MYERS. Considering our worldwide standing ordnance stockpiles, which contain a wide array of cruise missiles, precision-guided munitions and more conventional ordnance, and industry's ability to flex production, we are confident that we have sufficient capacity to prosecute any potential action in southwest Asia, while still retaining an adequate, but reduced, reserve for future military engagements. However, during the period of highest use last year, our expenditure rates exceeded production rates for select precision-guided munitions such as the Joint Direct Attack Munitions (JDAM). However, we have received supplemental funding to increase munitions production rates and enhance industry's long-term production capacity for both JDAM and the family of laser-guided bombs. In

regards to personnel levels, we do have adequate force structure, properly equipped, to carry out strategy against Iraq. Activation of Reserves and stop loss have increased our personnel strength to a level sufficient to conduct effective operations against Iraq while maintaining other aspects of the war on terrorism, protecting the homeland, and keeping our commitments in other regions of the world.

30. Senator McCAIN. Secretary Rumsfeld and General Myers, it seems that tankers are an issue. During an April 8, 2002 DOD news briefing with both of you, General Myers, you said the following in response to a reporter's question on the requirement for more tankers and leasing:

"Well, first of all, you're [right]—the fact is that tankers are very, very important to us in our ability to mobilize and deploy long distances.

The fleet is relatively healthy. These are older aircraft, but they have lots of flying hours left on them. I'm talking about the 135s now. They've been re-engined. We're putting new avionics in the cockpit. There's been a lot of work done on those particular aircraft to keep them modern with an ability to fly in our air traffic control system both in the Pacific and across the Atlantic to Europe. Having said that, there is a fairly high percentage of these tankers that are in depot maintenance for corrosion control; higher than you would want, but that goes back to the design of the aircraft, and that's just the way it is. We'll work our way through that.

Part of the last question—the last part of the question, where we're talking about lease, that is an Air Force issue. The Air Force is looking at that, and they have not brought that to me or to the secretary."

Does our military have an adequate number of aerial tankers to support our Navy, Marine Corps, and Air Force tactical aviation assets that may be utilized in an attack against Iraq while continuing other worldwide commitments?

Secretary RUMSFELD and General MYERS. The increased demand for tankers created by a post-September 11 environment, in which not only are we tasked to support all overseas commitments but also our homeland defense posture, increases the wear and tear on our existing tanker fleet. The backlog of required maintenance, both depot and organizational, is climbing rapidly for the 43-year-old KC-135, the backbone of our refueling fleet. The bottom line is that we are working our tankers very hard. As a result, the Air Force is pursuing remedies to meet these increased requirements. Although our active and reserve air refueling force will be stretched, we do have sufficient air refueling tankers to support potential operations against Iraq and sustain our most critical commitments at home and abroad.

#### RUSSIA'S POSITION

31. Senator McCAIN. Secretary Rumsfeld and General Myers, President Putin has openly asserted Russia's right to take unilateral military action against terrorists operating on Georgian territory. Can you assure the committee that the United States will draw a red line against a Russian invasion of Georgia?

Secretary RUMSFELD and General MYERS. The U.S. Government has consistently drawn a policy redline against Russian violation of Georgian sovereignty and territorial integrity. When Minister of Defense Sergei Ivanov and Minister of Foreign Affairs Igor Ivanov visited Washington during the Consultative Group for Strategic Security dialogue in late September, they met with President Bush and talked extensively about this issue. It is my understanding that the President and National Security Advisor Rice both explicitly stressed this U.S. redline.

In addition, we believe the Georgians have taken tangible steps toward addressing the instability in regions bordering Russia. Such steps include their extensive police action in the Pankisi Gorge that has succeeded in reinforcing governmental authority in the area. We have on multiple occasions reinforced the importance of Russia and Georgia coordinating effectively through information sharing and effective orchestration of border monitoring efforts on their respective sides of the border. We understand that Russia and Georgia have now agreed to a number of measures to include joint border guard patrols along their common border.

32. Senator McCAIN. Secretary Rumsfeld and General Myers, have you talked to Russian Defense Minister Sergei Ivanov, with whom you met today, about Russia's attempts to openly subvert the Georgian state through force of arms?

Secretary RUMSFELD and General MYERS. We have not spoken directly with Minister of Defense Ivanov on this subject; however the U.S. Government has a redline policy against Russian violation of Georgian sovereignty. We have conveyed this policy to the Russian Federation in a very clear manner.

33. Senator MCCAIN. Secretary Rumsfeld and General Myers, do you find ironic reports suggesting America will wink at a Russian invasion of its sovereign neighbor in return for Russia's support for our military campaign in Iraq, when the military campaign against Iraq we waged in 1991 was the result of Iraq's invasion of its own sovereign neighbor Kuwait?

Secretary RUMSFELD and General MYERS. These reports are categorically untrue. There is no U.S.-Russian "deal" over Iraq and Georgia. The U.S. Government has gone to great lengths to stress to Russia that the situations in Georgia and Iraq are hugely different. Unlike Iraq, Georgia is an emerging democracy that has supported the global war on terrorism and has taken tangible steps to rid its territory of international terrorists. It has in good faith attempted to address Russia's concerns, to include information sharing and the development of a joint border-monitoring regime. Georgia neither possesses weapons of mass destruction, nor is it trying to acquire them for use against others. It is in no way threatening other countries in the region, but instead is acting constructively to address regional problems. Also, the instability in Georgia's Pankisi Gorge is a direct consequence of the fighting in Chechnya; therefore, the challenges created as a result of that war have in many ways been forced upon Georgia. We encourage the Russians and the Georgians to continue working together to stabilize the region.

34. Senator MCCAIN. Secretary Rumsfeld and General Myers, how would the United States respond to an armed Russian ground and air invasion of northern Georgia?

Secretary RUMSFELD and General MYERS. We would certainly condemn any such action. There is no legitimate rationale for Russian war in Georgia. We respectfully decline to respond in open session to the question of potential U.S. military responses to such an attack. Much would depend upon the circumstances surrounding the invasion. Suffice it to say that the U.S. Government has significant equities in the region, to include U.S. military forces training Georgian troops. At a minimum, there would be significant force protection issues associated with such a development.

#### OTHER FOREIGN SUPPORT

35. Senator MCCAIN. Secretary Rumsfeld and General Myers, how would you rate Saudi cooperation with the United States in the war on terror?

Secretary RUMSFELD and General MYERS. Saudi Arabia has been a close ally in the war on terrorism. The leaders of the kingdom understand that the atrocities committed on September 11 were also directed against them and quickly pledged their help.

To facilitate Operation Enduring Freedom, the Saudi government gave us all necessary overflight clearances. The Saudi government also broke relations with the Taliban and has offered economic assistance to the new Government of Afghanistan. The Saudis have supported the Pakistani President, Pervez Musharraf. They have also assisted in blocking financial assets linked to terrorism and have worked proactively to ensure the stability of the world oil market.

36. Senator MCCAIN. Secretary Rumsfeld and General Myers, do you believe German Chancellor Schroeder's America-bashing campaign rhetoric threatens our defense relationship with Germany?

Secretary RUMSFELD and General MYERS. We have had a strong and close defense relationship with Germany for over 50 years. That relationship has been based on shared interests and values that have been promoted and protected bilaterally and through the NATO alliance. There are particularly intensive and rewarding interactions between our men and women in uniform. Germany has been an important contributor in our efforts against terrorism, including in Afghanistan. While the statements made during the campaign have not been helpful to our efforts to deal with the threat posed by Saddam Hussein, the basic interests of our two countries have not changed.

In terms of what we are currently hearing from the German Federal Armed Forces, the comments made during the recent German election campaign have had no impact upon the military-to-military relationship. Senior military leaders on both sides understand the value and depths of the relationship built over the past 50 years and wish to continue undiminished cooperation. Remarks made during the election campaign should not change the trust and friendship existing between both Armed Forces.

## QUESTIONS SUBMITTED BY SENATOR RICK SANTORUM

## FORCE STRENGTH

37. Senator SANTORUM. General Myers, in your prepared testimony you noted that there are some unique military units (command and control, intelligence, Special Operations Forces, and combat rescue) that are in high demand and that mobilization of the Reserve component has been key to mitigating the current stress on these units. In conjunction with the ongoing conflict in Afghanistan, many reservists mobilized last September will likely be required to remain in service for another year. About 130,000 of the Nation's 1,250,000 Reserve forces have served at one time or another during the past year, with 76,658 currently on active duty.

Can we effectively balance the needs of our military commanders to have enough manpower to meet contingencies in Iraq and Afghanistan, and those of our employers who depend on these skilled reservists to perform duties associated with their civilian positions?

General MYERS. The Reservists have been absolutely critical to our success to date. They perform a wide range of missions, and bring specialized skills to bear on the critical needs of our Armed Forces. Reservists have been filling critical shortages as intelligence analysts, special forces and civil affairs soldiers, as well as providing logistic, transportation, and force protection support. We will continue to require this support in Afghanistan, particularly in the civil affairs arena. Should war occur with Iraq, we will need even more of all the skills and capabilities we have used in Afghanistan. We are currently examining all the ways we can meet these needs, not only by using Reservists but also through the use of coalition assets.

Our Reservists' employers have been very supportive. While the Uniformed Services Employment and Reemployment Rights Act (USERRA) provides important protections to our Reserve soldiers, our experience has been that employers often go well beyond USERRA benefits. For those Reservists and employers who have special requirements—and I have expressed those needs—we have been sensitive and accommodating. In fact, the Chief of the Army Reserve has a policy that no Reservist will be involuntarily extended beyond 1 year on active duty. Despite this, it is our experience that most will volunteer, or come enthusiastically if called by the President.

In our planning and preparation for hostilities with Iraq, we are carefully managing the numbers you cite above. For example, since you posed this question, the number of Reservists on active duty has decreased from 76,658 to approximately 60,000. The numbers are still falling. We realize that it is important that these great Americans, or as they are known in the Army, "2x the Citizen," get back to their families and jobs so that if they are needed again, they will be rested and ready. For those who may be needed again, we are confident that they and their employers will gladly step forward again to serve their country.

38. Senator SANTORUM. General Myers, do we have enough of the right personnel to be focusing on Iraq and Afghanistan at the same time?

General MYERS. Our Armed Forces are capable of carrying out our defense strategy. We have sufficient capability to conduct effective operations against Iraq while maintaining other aspects of the war on terrorism, protecting the homeland, and keeping our commitments in other regions of the world.

Mobilization of Guard and Reserve forces has been key to mitigating the current stress on some of our selected units that are in short supply. If our operations on the war on terrorism are expanded, we will be required to prioritize the employment of these enabling units. In this regard, our coalition partners and allies may provide forces for our combined operations. Where possible, we will match the best available capability to the required mission.

39. Senator SANTORUM. General Myers, given our perstempo and the demands placed on our Reserve component, have you seen any fall-off in the numbers of persons who want to serve America through the Reserve component?

General MYERS. We have seen no marked changes in Reserve component recruiting or retention over the past 12 months. It may be too soon to tell if recent personnel tempo will negatively impact retention. We are monitoring these trends closely.

## URBAN AND CHEMICAL WARFARE

40. Senator SANTORUM. General Myers, the Iraqi Republican Guard and Special Republican Guard units are specially trained for urban warfare and security operations. The last time U.S. forces were engaged in urban fighting was in Somalia in

1993. Iraq may have concealed as much as 660 tons of chemical agents, including the nerve gases VX and Sarin, and mustard gas, a blister agent. At one time, Iraq had a robust biological weapons stockpile which included botulinum, aflatoxin, ricin, and anthrax.

Assuming that the U.S. is forced to fight house-to-house in Baghdad, and assuming the Iraqi use of chemical weapons, are U.S. forces sufficiently equipped and trained to prevail under these conditions?

General MYERS. Yes. Improvements in chemical protective masks, chemical protective suits, advanced forced entry munitions, body armor and night vision devices have greatly enhanced our forces' ability to fight in urban and chemical environments. With regard to level of training, urban and chemical warfare is routinely integrated into field training and simulated exercises. I am confident that our level of training is superior to the Iraqi Republican Guard and Special Republican Guard units, and as the most highly trained and equipped military in the world, we are well prepared to accomplish any and all missions assigned.

41. Senator SANTORUM. General Myers, since U.S. medical personnel haven't treated battlefield chemical casualties since 1917, how skilled are U.S. medical personnel in delivering aid to military personnel exposed to chemical or biological agents?

General MYERS. The Department of Defense employs the most technically proficient, professionally capable medical force ever fielded in the history of warfare. Our ability to recognize and treat battlefield casualties exposed to chemical or biological agents is unsurpassed worldwide. The sophistication of our overall medical capabilities in the weapons of mass destruction arena has been significantly enhanced by training programs specifically designed by our lead agents in the medical aspects of chemical and biological defense—the U.S. Army's Medical Research Institute of Infectious Disease (USAMRIID) and the Medical Research Institute of Chemical Defense (USAMRICD)—to improve the clinical acumen of our healthcare providers. These programs, offered globally through satellite feed or on-site, have provided our medical force with the necessary skill sets to effectively deal with casualty streams exposed to chemical or biological agents.

42. Senator SANTORUM. General Myers, what advances in training and/or technology have benefited U.S. forces in urban fighting since 1993?

General MYERS. We will avoid fighting within urban areas whenever possible. However, if forced to fight in urban areas, we will leverage advances in information operations and situational awareness that will enable us forces to mass overwhelming combat power against Iraqi forces.

Lightweight body armor will better protect U.S. forces as they operate in an urban environment. This armor will allow greater freedom of movement and enhanced protection from direct fire, shrapnel, and falling debris.

Improved command and control systems will provide greater situational awareness for U.S. forces at all levels. This will enable commanders to mass overwhelming combat power against enemies in an urban environment.

Advances in night vision devices allow U.S. forces to better operate during limited visibility. This will allow U.S. forces to operate more freely at night and reduce exposure to enemy fires.

Additionally, use of enabling technologies such as unmanned robotic vehicles will allow U.S. forces to minimize risk in urban areas.

#### STRATEGY AGAINST IRAQ

43. Senator SANTORUM. Secretary Rumsfeld, military scholars note that Saddam's power is built on direct control of his Armed Forces and on minimizing the freedom of his regional commanders to maneuver. How might our military operations benefit from Saddam Hussein's tight central control in his self-appointed role as field marshal, and where innovation and initiative are often discouraged?

Secretary RUMSFELD. By not establishing a system of decentralized execution, the Iraqi military is susceptible to the lack of initiative that is necessary for effectiveness and efficiency. Decentralized execution is essential because no one commander can control the detailed actions of a large number of units.

44. Senator SANTORUM. Secretary Rumsfeld, what type of U.S. military strategy is best to counter such a command and control arrangement?

Secretary RUMSFELD. In the Gulf War, we were able to sever the commander's communications with the troops.

45. Senator SANTORUM. Secretary Rumsfeld, if Iraqi military leaders fail to capitulate to U.S. forces and are destroyed, are there indigenous forces that could be utilized to maintain the territorial integrity of Iraq?

Secretary RUMSFELD. Indigenous forces would not be able to organize themselves on a nation-wide basis quickly enough to maintain the territorial integrity of Iraq if the current Iraqi military were to be destroyed. Coalition forces would have to be prepared to provide this security until the establishment of an Iraqi Government that renounces WMD, poses no threat to its own people or to its neighbors, and does not engage in activities that pose a threat to international stability.

#### KURDISH AND TURKISH RELATIONS

46. Senator SANTORUM. Secretary Rumsfeld, Turkey, a critical ally that recently suppressed a long and bloody independence movement by its own Kurdish community, has warned repeatedly that it will not tolerate any move toward an independent Kurdish state on its border if Saddam's regime falls. Turkey fears that establishment of a Kurdish state with oil assets on its southeastern border would incite Turkish Kurds to seek secession from Ankara. Turkish fears have been rekindled by the Kurdistan Democratic Party's (KDP) moves to adopt its own flag and create an independent army, courts, and ministries. How can the U.S. leverage the assets of Iraqi Kurds in the north, but not anger the Turkish Government?

Secretary RUMSFELD. The United States and Turkey have consulted closely regarding events in northern Iraq. The United States remains very cognizant and respectful of Turkish "redlines." The Turkish Government fully understands that the U.S. Government does not support Kurdish independence nor ethnic-based federalism. The U.S. will conduct its relations with Kurdish groups in a manner consistent with these principles and with the goal of a unified, democratic Iraq.

47. Senator SANTORUM. Secretary Rumsfeld, can we be partners with both the Government of Turkey and the Iraqi Kurdish forces, or are these mutually exclusive groups?

Secretary RUMSFELD. The United States has long worked with both Iraqi Kurdish political parties and the Turkish Government. Indeed, both the Patriotic Union of Kurdistan (PUK) and the KDP maintain offices in Turkey. The United States recognizes the security and political concerns of both Turkey and the PUK and KDP. Our Turkish and Iraqi Kurdish interests are not mutually exclusive.

48. Senator SANTORUM. Secretary Rumsfeld, will Iraqi Kurdish groups support U.S. efforts to move against Saddam if the U.S. opposes an independent Kurdish state?

Secretary RUMSFELD. Neither the PUK nor the KDP now seeks independence. After suffering extraordinarily at the hands of Saddam Hussein, Iraqi Kurds seek a democratic, parliamentary Iraq with checks and balances to protect Iraq's minorities and ensure that minorities enjoy rights the same as all Iraqis. The territorial integrity of Iraq is a key principle of U.S. policy.

#### INDIGENOUS FORCES

49. Senator SANTORUM. General Myers, one of the lessons learned from Afghanistan is that highly-skilled U.S. Special Operations Forces (SOF) personnel were able to leverage indigenous fighters to increase military power against enemy forces. Can we apply this or other lessons learned in the military operations in Afghanistan to the situation in Iraq?

General MYERS. Yes, the use of SOF in Afghanistan was a textbook case of unconventional warfare. Our SOF personnel were able to quickly establish relationships and create alliances that focused varied ethnic and cultural groups on the removal of a regime that was hostile to our country and aided and abetted an evil force that planned and implemented harm against the United States. We will definitely use this same strategy when appropriate against all national and transnational elements in our global war on terrorism.

50. Senator SANTORUM. General Myers, is there a viable indigenous force that, in concert with U.S. SOF, can be leveraged to defeat Saddam's military forces, control Iraq, and secure Iraq's weapons of mass destruction capabilities?

General MYERS. Yes, there are several indigenous groups with which we can work. There are enough individuals that, with protection, training, resourcing and other forms of support, can be organized into an effective opposition force. The oppo-



sition force could potentially assist in U.S. efforts to defeat Iraq's military forces and could form the basis for either an Iraqi Government in Exile or an interim provisional government that could be inserted to stabilize the country of Iraq after a regime change.

51. Senator SANTORUM. General Myers, how do the political objectives of these indigenous forces complicate U.S. efforts to achieve a change in regime, while at the same time maintaining Iraq's territorial integrity?

General MYERS. It is our goal to maintain the territorial integrity of Iraq. While there are various factions in Iraq, as you have noted, all reports indicate that these factions are united in their desire to see the Iraqi regime go. We feel this is excellent common ground upon which indigenous forces can build consensus. The U.S. Government has been and will continue to be supportive of Iraqi groups who oppose the current Iraqi regime. It is our expectation that these groups will be key participants in building a representative government worthy of the Iraqi people.

#### OIL

52. Senator SANTORUM. Secretary Rumsfeld, it is reported that the U.S. is going to take elaborate measures to safeguard our access to oil reserves in the event of a military conflict in the Middle East. The Strategic Petroleum Reserve, with 578 million barrels of oil, could be tapped in the event of a war or a national emergency. Recent news accounts note that oil shipments into the Reserve have reached record levels, about 150,000 barrels a day. With the U.S. importing 800,000 to 1 million barrels of oil a day from Iraq, do you believe that military conflict with Iraq will cause a disruption in our energy consumption endangering our economic security?

Secretary RUMSFELD. The Secretary of Energy and the heads of other relevant agencies are in a better position to answer your question. However, it is my understanding that with the Strategic Petroleum Reserve and the reserves of other nations, plus the willingness of foreign producers to replace any lost supply, the United States can weather any foreseeable disruption of supply emanating from a conflict with Iraq without any significant effect on our economy.

53. Senator SANTORUM. Secretary Rumsfeld, would a comprehensive "national energy policy" provide better insurance against a disruption in our importation of foreign oil?

Secretary RUMSFELD. This question should be directed to the Secretary of Energy or anyone else involved in formulating U.S. energy policy.

[Whereupon, at 5:50 p.m., the committee adjourned.]

## **CONTINUE TO RECEIVE TESTIMONY ON U.S. POLICY ON IRAQ**

**MONDAY, SEPTEMBER 23, 2002**

U.S. SENATE,  
ARMED SERVICES COMMITTEE,  
*Washington, DC.*

The committee met, pursuant to notice, at 2:36 p.m. in room SH-216, Senate Hart Office Building, Senator Carl Levin (chairman) presiding.

Committee members present: Senators Levin, Kennedy, Cleland, Reed, Akaka, Bill Nelson, E. Benjamin Nelson, Dayton, Warner, Smith, Allard, Sessions, and Bunning.

Committee staff members present: David S. Lyles, staff director, and June M. Borawski, printing and documents clerk.

Majority staff members present: Richard D. DeBobes, counsel; Evelyn N. Farkas, professional staff member; and Richard W. Fieldhouse, professional staff member.

Minority staff members present: Judith A. Ansley, Republican staff director; Charles W. Alsup, professional staff member; Edward H. Edens IV, professional staff member; Carolyn M. Hanna, professional staff member; Mary Alice A. Hayward, professional staff member; Patricia L. Lewis, professional staff member; Thomas L. MacKenzie, professional staff member; Joseph T. Sixeas, professional staff member; Carmen Leslie Stone, special assistant; and Scott W. Stucky, minority counsel.

Staff assistants present: Leah C. Brewer, Thomas C. Moore, and Nicholas W. West.

Committee members' assistants present: Brady King, assistant to Senator Kennedy; Frederick M. Downey, assistant to Senator Lieberman; Andrew Vanlandingham, assistant to Senator Cleland; Elizabeth King, assistant to Senator Reed; Davelyn Noelani Kalipi, assistant to Senator Akaka; Richard Kessler and Eric Pierce, assistants to Senator Ben Nelson; Benjamin L. Cassidy, assistant to Senator Warner; Ryan Carey, assistant to Senator Smith; John A. Bonsell, assistant to Senator Inhofe; George M. Bernier III, assistant to Senator Santorum; Robert Alan McCurry, assistant to Senator Roberts; Douglas Flanders, assistant to Senator Allard; James P. Dohoney, Jr., assistant to Senator Hutchinson; Arch Galloway II, assistant to Senator Sessions; Kristine Fauser, assistant to Senator Collins; and Derek Maurer, assistant to Senator Bunning.

### **OPENING STATEMENT OF SENATOR CARL LEVIN, CHAIRMAN**

Chairman LEVIN. Good afternoon, everybody. The Armed Services Committee meets this afternoon to continue our hearings on

U.S. policy toward Iraq. Last week we received testimony from the Director of the Central Intelligence Agency (CIA), the Acting Director of the Defense Intelligence Agency (DIA), the Secretary of Defense, and the Chairman of the Joint Chiefs of Staff.

Today we will hear from former senior military commanders, all of whom have significant experience planning and conducting military operations. Then this Wednesday we will hear from former national security officials.

We welcome back to the committee this afternoon General John Shalikashvili, former Chairman of the Joint Chiefs of Staff; General Wesley Clark, former NATO Supreme Allied Commander, Europe; General Joseph Hoar, former Commander in Chief, U.S. Central Command; and Lieutenant General Thomas G. McInerney, former Assistant Vice Chief of Staff of the Air Force.

As Chairman of the Joint Chiefs of Staff, and before that, Supreme Allied Commander, Europe, General Shalikashvili provided advice and exercised responsibility related to operations in the Balkans, Northern Iraq, and elsewhere. He also served as commander of Operation Provide Comfort in Northern Iraq in 1991.

General Clark led the NATO-led Kosovo operation in 1999 as Supreme Allied Commander, Europe, and in his capacity as Commander in Chief, U.S. European Command, he oversaw Operation Northern Watch in Iraq.

General Hoar, as Commander in Chief of Central Command, was responsible for military-to-military relationships with a range of states that comprise the Middle East and North Africa and for operations conducted in Somalia and Rwanda.

Lieutenant General McInerney served as Assistant Vice Chief of Staff of the Air Force and has considerable operational experience planning and executing missions in the European and Asian theaters of operation.

As I stated last week, we begin with the common belief that Saddam Hussein is a tyrant and a threat to the peace and stability of the Middle East. It is clear that the international community must act to prevent his efforts to build and possess weapons of mass destruction and the means of delivering them.

The question before this Nation now is, what response is likely to be most effective in achieving the goal of bringing Iraq into compliance with United Nations (U.N.) mandates, particularly destruction of its weapons of mass destruction, and what response on our part is likely to entail the least risk to U.S. national interests?

We look to our witnesses today to share with us their thoughts on the administration's policy and to offer their assessment of the risks associated with an attack on Iraq, whether we attack with a U.N. mandate and with our friends and allies, whether we attack alone, whether we attack now or after we've exhausted other avenues for dealing with Saddam, including inspections; if we attack, the most effective way for our military forces to carry out their mission; and, after the successful conclusion of a military mission, how long U.S. forces will be required to remain in Iraq to ensure stability in the region.

How and under what circumstances we commit our Armed Forces to an attack on Iraq could have far-reaching consequences for future peace and stability in the Persian Gulf and the Middle

East, for our interests throughout the world, and, indeed, for the international order.

Each of our witnesses today knows well, personally, the awesome responsibility of committing our forces to combat, and so we look forward to their testimony.

First I'll call on Senator Allard. After I call on him for an opening comment, we would then ask our witnesses if they have opening comments that they would like to make. Then after that I would recognize each of us in the early bird order for a 6-minute first round of questions.

Senator Allard.

Senator ALLARD. Thank you, Mr. Chairman. I am going to give Senator Warner's statement on his behalf. He's not going to be here at the start of the hearing. My understanding is he's going to show up a little bit later, but I'd like to make it plain that I associate my thoughts very closely with what he's going to have to say in this opening statement.

So I'd like to thank you, Mr. Chairman, and I join you in welcoming these four distinguished former military officers before our committee. All four of these gentlemen served our Nation with great distinction. I applaud all of you for your contributions you are making to this important Iraq debate and for the service you continue to provide our Nation as knowledgeable observers of our national security challenges and needs.

Over the past several weeks, our President has courageously focused world attention on the defiant, illegal conduct of this brutal, ruthless dictator, Saddam Hussein. On April 6, 1991, after having been expelled from Kuwait and decisively defeated, Saddam Hussein accepted U.N. terms for the suspension of military terms and promised he would comply with all relevant U.N. Security Council resolutions, including disarming Iraq of weapons of mass destruction and submitting to intrusive inspections to verify this disarmament.

Eleven-and-a-half years later, we're still waiting for Saddam Hussein to comply with international mandates, as reflected in 16 United Nations Security Council resolutions. We have over a decade of experience with his deceit and defiance.

The main thing Saddam Hussain has proved to the world in the past 12 years is that he cannot be trusted under any circumstances. I think General Clark had a very similar experience with a dictator in Serbia who is now rightfully behind bars.

Anytime the use of force is contemplated, those of us with a role to play in making the decision to use force must proceed with caution. Resorting to the use of force should be the last step, but it is the step we must be willing to take, if necessary. It is also a step those who threaten us must understand that we are willing to take.

As we contemplate our vulnerabilities and those of our allies in the post-September 11 war, it is clear that things have changed. The concept of deterrence that served us well in the 20th century has changed. Terrorists and terrorist states that hide behind surrogates who are not deterred by our overwhelming power, those who would commit suicide in their assaults on the free world, are not rational and are not deterred by rational concepts of deterrence.

We are left with no choice but to hunt down such threats to our national security and destroy them.

The threat posed to the United States, the region, and the entire world by Saddam Hussein is clear. We know he has weapons of mass destruction. He is manufacturing and attempting to acquire more. We know he has used these weapons before. We know he will use them again. We should not wait for a future attack before responding to this clear and growing danger. Saddam Hussein has defeated the international community long enough. He must be stopped.

Again, thank you for your participation in this process as we develop a body of fact for an informed debate in the Senate and for an informed public debate on U.S. policy toward Iraq.

Thank you, Mr. Chairman.

Chairman LEVIN. Thank you very much, Senator Allard.

General Shalikashvili, let us start with you. Again, thank you so much, not just for being here today, but—and this applies to all of you—for decades of service, patriotism, loyalty, dedication, and contributions to this Nation.

General Shalikashvili.

**STATEMENT OF GEN. JOHN M. SHALIKASHVILI, USA (RET.),  
FORMER CHAIRMAN, JOINT CHIEFS OF STAFF**

General SHALIKASHVILI. Thank you, Mr. Chairman, Senator Allard, and distinguished members of the committee. Thank you very much for the opportunity to appear here before you today and for the opportunity to make a few opening comments.

First, I must say that I'm not a stranger to war, for, I guess, in some sense, I am a child of war. Before I was 10 years old, I had lived through the brutal occupation of the country of my birth, the total destruction of my home town during the 1944 Warsaw uprising, and, together with my family, I joined the millions of refugees fleeing westward ahead of the advancing Soviet armies.

Years later, like so many other young Americans, I participated in a very different kind of war in the rice paddies in the jungles of Vietnam.

I participated again still later, when, at the end of Operation Desert Storm, Saddam Hussein, with unbelievable brutality, once again turned on his own people, the Kurds, killing thousands and chasing the rest into the mountains of Northern Iraq and Eastern Turkey. Without food, without water, without medication, without shelter, the very young and the very old were dying by the hundreds.

To stop this misery and the dying, I was asked by General Powell and then-Secretary of Defense Dick Cheney to organize a military operation to rush emergency airdrops to the Kurds, to remove Iraqi forces, if by force, when necessary, from the most northern part of Iraq, and to establish a safe zone there so some 700,000 Kurds could be returned to what was left of their destroyed villages and homes. They had to protect them with a no-fly zone, which, by the way, is still doing its job today.

Since then, as NATO Supreme Allied Commander and as Chairman of the Joint Chiefs of Staff, in one form or another, I have been involved in military operations in the Balkans, Haiti, Central

Africa, and many other places. So I know something about war, and I have seen firsthand Saddam Hussein's brutality. That background has certainly shaped my views about war.

We must be very careful about going to war, and do so only when all other attempts to resolve the threat to us have failed, and do so only with the support of the U.S. Congress and the American people. But if, in the end, war is the only way to deal with the threat, then we must to go into it united and with all necessary resolve.

In the case of Iraq, there are, for me, three first-order questions. First, do weapons of mass destruction in the hands of Saddam Hussein pose a grave danger to us and to our friends and allies, particularly those in the Middle East, but also in Europe? To me, the answer is clearly yes.

Second, if, in the end, we are unable to eliminate these weapons of mass destruction and any and all means to produce more, if we are unable to do so through tough, unfettered inspections or other non-military means, would use of force to accomplish this be the right thing to do? Again, my answer is yes.

Third, in my mind, has to do with timing. Since the threat posed by these weapons in the hands of Saddam Hussein has existed for some time, what has changed to create this new sense of urgency? Here, I believe that Secretary Rumsfeld has it right. What has changed is September 11 and our new realization of just how vulnerable we are to terrorist attacks and the catastrophic damage terrorists with weapons of mass destruction could inflict on the United States.

Now, since I believe that the urgency to move against Iraq is justified, it is essential that the United States continue the full-court press at the United Nations to get the kind of resolution that would set up proper inspections and would authorize the use of force to destroy Iraq's weapons of mass destruction and its means to produce them if inspections continue to be frustrated by Iraq or if they prove unsuccessful in leading to the disarmament of Iraq's weapons of mass destruction.

While the President must always retain the right to protect the Nation with or without a United Nations Security Council resolution, we must recognize that having the U.N. with us would be a very powerful message to Iraq and to our friends and allies and would make it much easier for a good number of them to be able to join us. For that reason, we must continue to persuade the other members of the Security Council of the correctness of our position. We must not be too quick to take no for an answer.

Now, clearly there are a number of issues and risks, large and small, with using force against Iraq, and you have discussed many of those here in previous hearings. But that is always the case when it comes to war. There are always issues. There are always risks. The question, therefore, is not whether we have eliminated all those—that is seldom, if ever, possible. Rather, the question is whether we have done the detailed planning, political and military, to find work-arounds for some, to minimize the effects of others, and to ensure that our plan is flexible enough to handle the unexpected that invariably is part of all combat operations.

But should, in the end, the President decide that the right thing to do is to use force against Iraq, we must, as I said, go united and with all the necessary resolve. I am confident that our forces will be fully ready to do whatever will be asked of them. But to assure that, we must not try to do this on the cheap. We must not put our hope in some silver bullet or hesitate to do the politically tough things, like, for instance, calling up Reserves. Rather, we must be prepared for the unexpected, and so we must go in with sufficient combat power to ensure that under all circumstances, ours is the decisive force. Or, as former Secretary of Defense Perry used to say in hearings when we were debating the dispatch of forces, "We must ensure that we are always the biggest dog on the block." Our troops deserve that.

By the way, they deserve a straightforward mission, uncomplicated chain of command, and robust rules of engagement that will allow them to get the job done and to protect themselves at all times.

With that, let me stop. Thank you, Mr. Chairman, for letting me make these comments. I'm ready to answer any questions you might have.

Chairman LEVIN. Thank you so much, General. We appreciate your testimony.

General Clark.

**STATEMENT OF GEN. WESLEY K. CLARK, USA (RET.), FORMER  
SUPREME ALLIED COMMANDER, EUROPE**

General CLARK. Thank you, Mr. Chairman, Senator Allard, distinguished members of the committee. I'm very happy to have this opportunity to testify here, and I would like to associate myself with remarks made by General Shalikashvili.

As NATO Supreme Allied Commander, Europe in 1998, we saw the beginning of a fourth war taking form in the Balkans. It was the repression to be waged by Slobodan Milosevic against his own people. We knew that, if we allowed this to go unchecked and unchallenged, it would create a threat to regional stability, it would undercut the progress we had made in settling the war in Bosnia, and it was liable to ignite new conflicts elsewhere. So we attempted to use diplomacy with Milosevic, as we had over a number of years previously.

But we recognized that with Milosevic there was something more that was needed. It was leverage. So we began to use diplomacy backed by force. First there was the discussion of a threat. Then there was the issuance of a threat. After the threat was issued, Milosevic blinked, but his generals came back and said, "the West, NATO, perhaps the United States, really doesn't have the stomach for this. Anyway, we can defeat American air power because our friends have told us how to do this." So after the failures at Rambouillet, we eventually did turn to the use of force.

The use of force was successful. But what we found was that the combination of international law, diplomacy, and American and NATO air power gave us strategically decisive results without, in the end, ultimately having to use overwhelming military force. This was modern war.

Saddam Hussein does constitute a danger. He's calculating. He's stubborn. We watched him from Europe. I watched him when I was working on the Joint Staff. In 1994, he brought his forces back to re-invade Kuwait. We blocked that. In 1997–1998, he resisted the actions of the U.N. arms inspectors. The United States was unable to muster the kind of majority and weight of opinion in the United Nations to change the equation on the ground in Iraq. Saddam Hussein has an irrational streak in addition to his cunning and stubbornness, and he is probably not ultimately deterrable, not with confidence.

The embargo that's left against him is crumbling step by step. We watched it. It served well, as well as could have been expected during that period, but it has ultimately crumbled. So it's easy to see that, after September 11, there is much greater concern about Saddam Hussein and a desire to bring to a conclusion his violation of the U.N. Security Council resolutions and international law, which he, himself, accepted—namely, to give up his weapons of mass destruction.

I think that the move toward the United Nations is the appropriate step. I think the President's strong statement and the statements of members of the administration have provided the leverage on which we should be able to build a coalition and possibly even achieve a new resolution in the United Nations. I think we're proceeding on a path of diplomacy backed by force. I think it is the appropriate path.

But as we move ahead, I think we have to be very conscious of the risks as well as the opportunities that are presented at this point. So I think we need to be certain that we really are working through the United Nations in an effort to strengthen that institution in this process and not simply to check a block. I think we have to do everything we can to build the largest, strongest possible coalition. While we ultimately might have to go with only a few allies, it will be much better and much more effective if we have a much broader and stronger coalition.

I think we need to be assured that we have done everything we can do for what happens after our military success before we begin that military operation, and that means planning for post-conflict Iraq and all of the ramifications of that, including the humanitarian assistance, the government, the economic development, and so forth.

Then, with a military plan in hand, with allies, with unified support, if there is no other recourse, then we would use force as a last resort, ideally with the full blessing of the United Nations, ideally in conjunction with a large coalition. But we will have done everything we can at that point to solve this problem in the way that's most conducive to the world that we want to live in.

So I think it's not only the ultimate action that's important here, it's how we get to that action.

Thank you, Mr. Chairman.

Chairman LEVIN. Thank you very much, General Clark.

General Hoar.



**STATEMENT OF GEN. JOSEPH P. HOAR, USMC (RET.), FORMER  
COMMANDER IN CHIEF, UNITED STATES CENTRAL COMMAND**

General HOAR. Thank you, Mr. Chairman, Senator Allard, distinguished members, for this opportunity to address the committee.

First, I should say that I'm in favor of a regime change in Iraq. What is at issue is the means and the timing. My view is that we should slow down and be cautious and be sure we get it right. This is not a time for hyperbole or a time to attack people who have honest disagreements with the manner in which we are going forward.

When I was a young officer, our government attempted to define the nature of the upheaval that was going on in Southeast Asia. Our government failed to define correctly the nature of the Vietnam War, and we all know the result.

Today we are faced with a new war. It has been described as a war on terrorism. Unfortunately, the use of that term obscures the underlying problems that we face going forward.

War on terrorism is perhaps a useful slogan, but terrorism is not an ideology or a political movement or a sovereign country; it is a technique used to achieve either a political or military result, not unlike strategic bombing. While I am in no way condoning the activities of al Qaeda and the terrorist attacks perpetrated against Americans over the last 5 years by this group, it is still important to look beyond this activity to find what are the causative factors, because the term "terrorism," as a means of achieving political and military ends, is merely a tactic. Fighting terrorism is, in fact, our number-one priority, but it's only a portion of what needs to be done if we are to emerge from this experience successfully.

The reality is that there are perhaps only 5,000 al Qaeda members worldwide. I have just read recently that only about 200 are in the inner circle. Beyond that there are perhaps 10,000 to 20,000 supporters that materially, financially, or in some way could be described as a support group for al Qaeda terrorists.

What is at stake are the minds and hearts of the one billion Muslims throughout the world. We know from attitudinal surveys that they like Americans, American society, and American culture. In fact, many of them would prefer to emigrate to the United States.

Their quarrel with the United States is that they do not trust our government. The reason for this is a pattern of behavior perpetrated by the U.S. Government in South Asia and the Middle East over the last 20 years. They believe the U.S. Government has acted unilaterally, sometimes as a bully, and has sometimes used other nations for its own interests and abandoned them when the objective has been achieved. Most importantly, they believe the U.S. has unjustly supported Israel over the legitimate aspirations of the Palestinian people.

At the end of the day, the war on terrorism will be won only when we convince one billion Muslims that we are, in fact, a just society, that we support peace, justice, equality for all people, that, in fact, we really are the "Citty-on-the-Hill."

We will, in due course, defeat al Qaeda. We will do it through a coordinated effort of a military action supported by integrated intelligence, from our friends, international law-enforcement oper-

ations, worldwide coordination to shut down financial support that flows to the terrorists. But, at the end of the day, it will be members of the worldwide Muslim community that drive a stake in the heart of al Qaeda so that it does not rise again.

There are three interrelated crises that need to be addressed as we look to the future. The first is the operation against al Qaeda. It seems, as we came up on the anniversary of September 11, 2001, with ground-to-air missiles ringing the Capitol and uncertainty about where and when we might be attacked again by terrorists, that we need to continue, as our primary effort, to defeat al Qaeda. This will require broad support from our European allies and from our friends in the Arab world. This is not the time to risk the loss of support from so many countries shocked by the attacks of September 11 last year who have offered to help us and, indeed, provide it on a daily basis. We have seen, recently, the results of that support in success against al Qaeda in Morocco, Yemen, and Pakistan, as well as Europe.

Second, as a matter of justice, but also as a means of public diplomacy to ease the concern in the Muslim world, we must step up to the Israeli-Palestinian problem and put pressure on both sides to move to a peaceful solution.

Finally, there is the campaign against Iraq. To my knowledge, and from the quotations attributed to people in and out of government whom I greatly respect, there has not been a case made to connect Iraq and al Qaeda. While we have known for many years about the capabilities of the Iraqi government with respect to chemical and biological weapons, there is still no proof that a weaponized nuclear device has been produced, and there is certainly no information, to my knowledge, that one has been tested.

Last week, the President, at the United Nations, took a step forward in speaking about the need for a new United Nations Security Council resolution. This had an immediate positive effect around the world, notably with the French government and the government of Saudi Arabia. I believe that we must move, with the approval of the United Nations, to take the time to do the tough diplomatic work to gain support in the Security Council for disarmament, and, failing disarmament, then military action.

Allow me to speak briefly about my concerns regarding the conduct of a military campaign against Iraq. There are people in this city who believe that the military campaign against Iraq will not be difficult, especially because of the enormous advances of technology and the willingness of some groups in Iraq to revolt once the campaign has begun. I am not as certain that a campaign of this nature will take that course. I certainly hope so.

One thing I am certain of is that there is a nightmare scenario that needs to be planned for, and it's basically this. The absolute lesson to be learned from the 1990–1991 Gulf War was you do not take on the United States Armed Forces in the open desert and expect to win. A joint force of Army, Navy, Marines, Air Force, and Special Operations Forces is unstoppable in that environment, because of our technological advantages and our inherent mobility. The nightmare scenario is that six Iraqi Republic Guard divisions and six heavy divisions reinforced with several thousand anti-aircraft artillery pieces defend the city of Baghdad. The result would

be high casualties on both sides, as well as in the civilian community. U.S. forces would certainly prevail, but at what cost, and at what cost as the rest of the world watches while we bomb and have artillery rounds exploding in densely populated Iraqi neighborhoods?

The risk of a military campaign against Iraq can be measured in the lives of American men and women serving in uniform. It is imperative that adequate preparations are made so that regardless of what action the Iraqi government takes, we can amass the appropriate forces to win decisively, regardless of the circumstances, with minimum loss of American lives and to the civilian population of Iraq.

Eleven years ago, the U.S. Government clearly defined a military mission against Iraq. It was to liberate the state of Kuwait from the occupation by Iraqi forces. What was overlooked was the necessity for a companion political and economic plan, generally described as war termination, that would have allowed to move forward and create a situation where the Ba'athist regime in Iraq would be overthrown. Failure to complete the political and economic portion of the coalition's strategy has resulted in our requirement to revisit this issue today.

I am reminded of the statement Shimon Peres made to me several years ago. He said military victories do not bring peace. You have to work twice as hard to achieve a peaceful settlement.

There has been scant discussion about what will take place after a successful military campaign against Iraq. The term "regime change" does not adequately describe the concept of what we expect to achieve as a result of a military campaign in Iraq. One would ask the question, "Are we willing to spend the time and treasure to rebuild Iraq and its institution after fighting if we go it alone during a military campaign? Who will provide the troops, the policemen, the economists, the politicians, the judicial advisors to start Iraq on the road to democracy? Or are we going to turn the country over to another thug who swears fealty to the United States?"

We have heard the financial figures, that a war against Iraq will cost \$100 to \$200 billion and that oil will rise to something above \$30 a barrel for some unknown period of time. These figures seem to me to have an almost certain downward-spiraling effect on our economy. The Gulf War cost \$60 billion, in 1991 dollars. The cost of that war was paid, for the most part, by our friends, notably the kingdom of Saudi Arabia, Kuwait, and Japan. Who will help us defray the cost of a military action and the nation-building in Iraq?

In summary, I urge you to continue the dialogue, to encourage the administration to do the hard, diplomatic work to gain broad support for a just solution to the Iraqi problem. I urge you to examine, in open and closed session, the consequences of this contemplated action to be sure that the cost in blood and treasure is consistent with the expected outcomes and those unintended consequences that inevitably flow from an undertaking of this magnitude.

I thank you, sir.

Chairman LEVIN. Thank you, General Hoar.

General McInerney.

**STATEMENT OF LT. GEN. THOMAS G. MCINERNEY, USAF (RET.),  
FORMER ASSISTANT VICE CHIEF OF STAFF, UNITED STATES  
AIR FORCE**

General MCINERNEY. Mr. Chairman and members of the Senate Armed Services Committee, thank you for this special opportunity to discuss a war of liberation to remove Saddam's regime from Iraq.

I will not dwell on the reasons why he should be removed. Suffice it to say the President is correct, we must remove threats such as those posed by Saddam Hussein, al Qaeda, and other terrorist groups. We face an enemy that makes its principal strategy the targeting of civilians and non-military assets. We should not wait to be attacked with weapons of mass destruction. We have not only the right, but the obligation to defend ourselves by removing these threats. Iraq is part of the war on terrorism and should be treated as such.

I will now focus on the way to do it very expeditiously with minimum loss of life to both the coalition forces and the Iraqi military and people themselves, and at the same time maintaining a relatively small footprint in the region. Access is an important issue, and we want to minimize the political impact on our allies adjacent to Iraq that are supporting the coalition forces.

Our immediate objective will be the following: Help the Iraqi people liberate Iraq and remove Saddam Hussein and his regime; eliminate weapons of mass destruction and production facilities; complete military operations as soon as possible; protect economic and infrastructure targets; identify and terminate terrorism connections; and establish an interim government as soon as possible.

Our longer-term objectives will be to bring a democratic government to Iraq using our post-World War II experiences with Germany, Japan, and Italy that will influence the region significantly.

Now I would like to broadly discuss the combined campaign to achieve these objectives, using what I will call "blitz warfare," to simplify the discussion. Blitz warfare is an intensive 24-7 precision air-centric campaign supported by fast-moving ground forces composed of a mixture of heavy, light, airborne, amphibious, special, covert operations working with opposition forces that will all use effect-based operations for their target set and correlate their timing forces for a devastating, violent impact.

This precision air campaign is characterized by many precision weapons, over 90 percent, using our latest command and control, intelligence, surveillance, and reconnaissance assets, Joint STARS, Global Hawk, Predator, human intelligence, signals intelligence, et cetera, in a network-centric configuration to achieve less than 10 minutes for time-critical targeting using the global-strike task force and naval strike forces composed of over 1,000 land- and sea-based aircraft, plus a wide array of air- and sea-launched cruise missiles. This will be the most massive precision air campaign in history, achieving rapid dominance in the first 72 hours of combat, focused on regime-change targets. These are defined as targets critical to Saddam's control—for example, his command and control and intelligence, integrated air defense system, weapons of mass destruction, palaces, and locations that harbor his leadership, plus those military units that resist or fight our coalition forces.

All the military forces will be told, through the opposition forces and their information operations campaign, that they have two choices—either help us change the regime leadership and build a democracy, or be destroyed.

In addition, commanders and men in weapons of mass destruction units will be told that they will be tried as war criminals if they use their weapons against coalition forces and other nations.

In a multidirectional campaign, coalition forces will seize Basra, Mosul, and most of the oil fields, neutralize selected cores of Iraqi armies, and destroy the integrated air defense zone, command and control, weapons of mass destruction, and Iraqi air forces using stealth, SAM suppression, and air superiority assets. This will enable coalition forces to achieve 24–7 air dominance quickly—I believe within 24 hours—which is critical to our success. Expansion of our beach heads in the north, south, east, and west regions and the air heads seized with alarming speed, will allow the opposition forces to play a very significant role and decisively important role with our special covert operations and the Iraqi army air force.

To determine the status, whether friend or foe, or if they disarm themselves politically, that is their decision. The opposition forces will communicate with the military intensively to neutralize them, and also the Iraqi people, letting them know that they are liberating them from 22 years of oppression, and they are now controlling large amounts of territory. Humanitarian missions will be accomplished simultaneously with leaflet drops, et cetera: “U.S. and other coalition forces are helping us to liberate and change the regime. You, the Iraqi people, must help us to do this quickly with minimum loss of life.”

This information operations campaign must be well planned and executed working closely with the opposition forces. This means that the administration must move very quickly now to solidify the opposition forces and set up a shadow government with aggressive assistance and leadership from the United States. I cannot overemphasize that this is about liberating the Iraqi people. This is not an invasion by U.S. and coalition forces. It is an enabling force.

In summary, the Iraqi forces we are facing are about 30 percent of those we saw in Operation Desert Storm, with no modernization. Most of the army does not want to fight for Saddam, and the people want a regime change. We are already seeing increasing desertions from the regular army as well as the Republican Guard. Let's help them to make this change and liberate Iraq from this oppressor.

President Bush has accurately said, “Inaction is not an option.” I am in support of this position. I also support an international coalition to include the United Nations, if they will be part of the efforts to remove this regime and his weapons of mass destruction. However, realistically, I have no confidence in Iraq allowing U.N. weapons inspectors to operate there in a satisfactory manner.

Time is not on our side. Consequently, I urge Congress to approve the President's draft resolution that was submitted last week as soon as possible.

Mr. Chairman and members, again, my thanks. I await your questions.

Chairman LEVIN. General McInerney, thank you very much.

Let's start with a first round of 6 minutes. At least three of you placed high value on having a U.N. resolution to force inspections with a ultimatum backed up by force, authorization of force by member states if the ultimatum for open inspections is not complied with. You made reference to it at the end of your statement, General McInerney, but I think our other three witnesses placed a great emphasis on the power of a U.N. resolution—I believe, to use your words, General Shalikashvili, that it would be a powerful message.

So I'd like to focus on the three of you who emphasize on that particularly. Would a U.N. mandate resolution authorizing force and authorizing member states to use force if inspections that are unconditional are not allowed, followed by disarmament—what specifically are the values—be more precise, militarily, politically, or otherwise—in such a resolution to be achieved? Would such a resolution not only have a better chance of enforcing the inspections in the disarmament without a war, but would it also, if it is obtainable, have less risks to our long-term interest than would unilateral U.S. military action without such a resolution?

General Shalikashvili, let me start with you.

General SHALIKASHVILI. Mr. Chairman, I am convinced that such a resolution would, in fact, be a very powerful tool, and I say that for a number of reasons.

First of all, we need to impress upon Saddam Hussein that he's not just facing the United States, but that he's facing the will of the majority of the world. We must also ensure that we have made it possible for as many of our friends and allies to join us, some of whom privately tell us they would do so, but that it's very difficult to do so for political, internal reasons, whatever, without the United Nations having spoken on this issue. Some of them believe deeply that unless you're directly attacked, that you should go to war only with the sanction of the United Nations. Others just have that in their culture.

Finally, I think it's important from a security point of view, because every time we undermine the credibility of the United Nations, we are probably hurting ourselves more than anybody else. We are a global nation with global interests, and undermining the credibility of the United Nations does very little to help provide stability and security and safety to the rest of the world where we have to operate for economic reasons, political reasons, and what-not.

I said at the beginning of this part of my statement that we must, under no circumstances, ever create the impression that the United States is not free to go to war to protect our interests whenever the President so decides. But that is very different than not trying to achieve the kind of resolution that, in this case, we want, because I think it would make our job easier, it would help the United Nations in the future, and, thus, help us in the future, and it would surely have an impact on how Saddam Hussein reacts to the current resolutions that dictate that inspections and inspectors go back into Iraq.

So I see nothing but value added for the United States to try our very best to get that kind of a resolution.

Chairman LEVIN. Thank you very much.

General Clark.

General CLARK. Mr. Chairman, at the end of World War II, when the United States had a nuclear weapons monopoly and when our gross domestic product was 50 percent of the world's production, President Roosevelt, and later President Truman, recognized that even with that strength, the United States, by itself, wasn't strong enough, wasn't capable of handling all of the world's problems in assuring peace and stability by itself. So they sought to create an institution which would be better than the defunct League of Nations, and they built the United Nations.

President Truman said that the method of the United Nations should be that right makes might. We've spent the 57 years since then trying to develop international institutions that would help strengthen America and help protect our interests as well as the interests of people around the world, but we recognized that a world in which nations are only regulated and guided unilaterally in seeking their self interest is not a world that's in our best advantage.

So, for that reason, I think it's very important, not only that we've gone to the United Nations, but that we do everything we possibly can do to strengthen the United Nations to stand up to this challenge to make itself an effective organization, to be able to cope with the challenge of Saddam Hussein's defiance of its resolutions.

Beyond the issue of the United Nations and the international institutions we seek to live in, I think going to the United Nations has another very important benefit. In the long-run, we're going to have to live with the people in the Middle East. They're our neighbors. They're just like us. Many of them have the same hopes and dreams. The more we can do to diffuse the perception that America is acting alone, America is striking out, America is belligerent, America is acting without allies—the more we can do to diffuse that, the more we can do to put that in the context of international institutions and the support of the governments in the region, the greater chance we have of reducing the recruiting draw of al Qaeda, following through with a successful post-conflict operation in Iraq, promoting a resolution of the Arab-Israeli conflict, and promoting peaceful democratization in a number of moderate Arab governments. So I think the long-term benefits of operating through the United Nations are very high.

Finally, there's an immediate short-term benefit. It'll be very useful to us to have allies. Many nations in that region want us to go through the United Nations or be empowered by a United Nations resolution. So I think if we can get that resolution, it's to our near-term military advantage, and our long-term advantage as a nation.

Chairman LEVIN. If you could just very briefly, General Hoar, because I'm out of time, give us your thoughts?

General HOAR. Yes, sir. First of all, I absolutely endorse the statements of my two colleagues.

I would say, first of all, with respect to the U.N., the U.N. is us. It's not them. It's us. We are dues-paying members. When we provide the leadership, as the President did recently, we can see immediately what changes take place. The French haven't changed

their idea of how this ought to be done. If you get a U.N. Security Council resolution, they'll be with us. Many of the other Europeans feel the same way.

Since September 11, I've traveled to the Middle East five times. I've been directly involved with the Middle East for the last 15 years. While we've been paying attention, understandably, to the terrorist attack against the United States, in the Arab countries there is major consternation about what is going on in the West Bank and in Gaza. The Arab countries, while they are supporting us in private, have a serious problem in convincing their populations that this is the right thing to do. So I believe that we have to give them top cover, as well, and we will do that with the United Nations.

On an operational level, I would just point out that, for example, if you can't bring Saudi Arabia into the coalition to be able to use, at a minimum, air space, but, ideally, air bases as well, the complications associated with carrying out a military campaign grow exponentially.

We need them. We need a broad base. We need it for the political reasons as well as the military reasons that we all understand. It will make the whole job a great deal easier. In the long run, as Wes said, in our relationship with these countries in the future, it will expedite and ease our ability to do business after the military campaign is over.

Chairman LEVIN. Senator Allard.

Senator ALLARD. Thank you, Mr. Chairman.

I think it's commendable that all of you are cautious about the use of force, and I agree with that. The use of force should always be as a last resort. Sometimes there is the first-strike argument that's made out there, and some say that we should never be the first strike. Some are saying, well, we've already been the victims of a first strike in the fact that our friends and allies and ourselves were attacked during the Persian Gulf War, then we had the attack with the Twin Towers and the Pentagon.

Would you all agree that certainly one of our options should be to act unilaterally, if necessary?

General Shalikashvili.

General SHALIKASHVILI. Yes, I clearly agree that, under certain circumstances, we have to act unilaterally. Otherwise, we give the veto power to people who do not have any veto power over our security.

Senator ALLARD. Thank you.

General Clark.

General CLARK. I think that the United States always has the option of acting unilaterally, but I'd say in this case it's a question of what's the sense of urgency here and how soon will we need to act unilaterally. So I think it's very important that we recognize that, so far as any of the information has been presented, as General Hoar has said, there's nothing that indicates that, in the immediate next hours, next days, that there's going to be nuclear-tipped missiles put on launch pads to go against our forces or our allies in the region. So I think there is, based on all of the evidence available, sufficient time to work through the diplomacy of this.

Senator ALLARD. General Hoar.



General HOAR. Yes, sir. I think Wes is spot on. I think we have the time. We need to concentrate on al Qaeda. We have made enormous strides here recently, and if we continue to do that, with the help of other countries, we will be successful quicker.

In addition to that, I think that we have the time to step up to the public diplomacy requirement with respect to the Israeli-Arab problem, which will facilitate our friends supporting us when and if we go after Iraq. But I think those two are preliminary steps.

Senator ALLARD. General McInerney.

General MCINERNEY. Clearly, sir, we must have and do have the authority to strike, unilaterally if we have to. In this particular case, we're going to have enough allies even if the U.N. doesn't come in.

But I think the important thing, in response to General Clark and General Hoar, where I have a problem on time is, unfortunately, September 11 showed that we have great weaknesses in our intelligence system that we all did not realize. This intelligence system—and they have very talented people—has been focused on large nation-states. Having been part of that intelligence system in several occasions in my career, we have totally neglected the human intelligence that takes years to build. Because of this, we have much more ambiguity than we normally would. It's because of that ambiguity that I see a time urgency.

Fortunately, this body and others deliberated and very forcefully said in 1998 that we must act, and you did it as a bipartisan body—a very strong signal.

Senator ALLARD. Thank you.

Now, I have a question I'd like to direct to General Clark and General Hoar. In this particular circumstance, what else do you feel can be done diplomatically or economically or otherwise that hasn't been done at this particular point in time?

General CLARK. Well, we're not on the inside. I'm certainly not on the inside of what's going on in New York with the United Nations or the consultations that are underway, but I do know that in terms of building a coalition and putting together the kind of diplomatic resolution that's required, it takes multiple engagements with governments. So I think it takes a strong commitment on the part of the President of the United States to assure that this problem is addressed. I think we've had that strong commitment. I think it takes a clear indication that the United States has the capacity to address it unilaterally, if need be. I think that indication is present.

Then I think the third requirement is that we have the ingenuity and the patience to work on the coalition partners we need and our allies from many different directions and many different perspectives. We need to go to NATO. Have we gone to NATO? NATO came to us after September 11 and said, "This is a violation of the North Atlantic Charter. This is Article V. We want to work with you." This is a great opportunity for NATO to come in. Have we done that? Secretary Rumsfeld's over there today talking to NATO ministers.

So I think that's one indication. From NATO, you go back to the United Nations. I think you make your case in front of all of the

Islamic organizations. You make it at various levels, from the military level on up to the head of state level, and you work it.

Senator ALLARD. General Hoar.

General HOAR. Let me just build on that, because I think that's a great answer.

Senator ALLARD. Quickly, because I have one more question I'd like to get in.

General HOAR. Put pressure on Russia. Russia has an economic interest in Iraq. We still have a lot of leverage with Russia. The President apparently has a very good relationship with Mr. Putin. We can do more there.

China has been part of the problem with respect to movement of, particularly, missiles through North Korea into Iraq. We can put pressure on China.

We need to bring those two countries into the tent and work with them and make them part of the solution, not make them part of the problem.

Senator ALLARD. What happens if the United Nations decides to do nothing?

General Clark, General Hoar, any of you?

General CLARK. The United States is going to have to move ahead with what it needs to do, but it's not, I think, going to be an all-or-nothing situation. I think it's going to be very important to salvage everything that can be salvaged from the dialogue in the United Nations, to identify those nations that are likely to go with us with something less than a full United Nations resolution, to figure out how we can meet their needs.

In other words, I think that we're stronger, if we give ourselves time to work this issue. We have to make it very clear to Saddam Hussein, there's no doubt about what the ultimate outcome for him is going to be. But the process is all-important for the ultimate outcome for us and our interests in the region.

Senator ALLARD. General Hoar.

General HOAR. Sir, as I said in my opening statement, there are other priorities, too, that we need to continue to work on. But, beyond that, I think it's important that we garner as much support as we can over and above the United Kingdom's commitment to support us so that—

Senator ALLARD. But what if the United Nations does nothing?

General HOAR. I think then the decision has to be made based on intelligence, and I don't think that the intelligence that has been described in the open press supports that at this moment, but I would defer to you gentlemen, in closed session, to determine that. But, at this point, I think we have time.

Senator ALLARD. Thank you, Mr. Chairman.

Chairman LEVIN. Thank you very much.

Senator Cleland.

Senator CLELAND. Thank you very much, gentlemen, for your service to our country and your service to us today. One of the things we have in common is that we served in Vietnam as young officers.

Secretary Powell served there. In his 1995 memoirs he wrote this: "Many of my generation, the career captains, majors, and lieutenant colonels seasoned in that war, vowed that when our turn

came to call the shots, we would not quietly acquiesce in half-hearted warfare for half-baked reasons that the American people could not understand or support."

I certainly feel that way. I guess you all feel that way. That's one of the reasons we're all here, to make sure we don't go half-cocked, half-baked here, and that the American people understand that when we go to war, we need them, and we need to be successful.

But one of the lessons I did learn out of that war is what the British learned fighting guerrillas and terrorists in Malaya, now known as Malaysia, a simple axiom of fighting terrorists, and that is if the terrorist doesn't lose, he wins.

The fact that we haven't gotten Osama bin Laden and his terrorist cadre put us on orange alert 1 year later. So the terrorist still continues to win unless the terrorist loses.

Therefore, learning that lesson in Vietnam and seeing it played out here in the wake of September 11, 1 year later, it just reinforces my view that the number-one mission for our Nation, for our military, is to make the terrorists lose, make a specific terrorist group lose, namely the al Qaeda, which has penetrated some 60 nations and was able to use less than weapons of mass destruction, aircraft, against us and come in, in effect, under the radar, under our intelligence scheme, and do a lot of damage.

Gentlemen, does it seem to you that this is our number-one war? We're already in a war. We've already had a congressional resolution passed that authorized the President to take all necessary means to take this al Qaeda out. Is that our number-one military mission at this point?

General Shalikashvili.

General SHALIKASHVILI. It is my understanding, Senator, that the President was clear when he said that fighting this war against terrorism is our number-one priority. I've thought an awful lot about whether going after weapons of mass destruction in Iraq is an unnecessary detraction from that effort or whether it is, as the administration has claimed, part of the war against terrorism, an attempt to potentially deny terrorists those weapons of mass destruction that, otherwise, Saddam Hussein might make available to them. You can argue whether that's likely or not, but you cannot argue that it cannot happen.

I concluded that it really falls under the same umbrella as the overall war against terrorism. The war against terrorism isn't just al Qaeda, it isn't just the terrorist groups in the Philippines and whatnot. It is also denying terrorists the means of getting to weapons of mass destruction that then could be used against us or against our friends and allies.

So your question to me is, for me, simple to answer. Yes, the war against terrorism is our number one priority. Considering using force to do away with the weapons of mass destruction in Iraq is a necessary part of that war.

Senator CLELAND. General Scowcroft has observed publicly that he didn't think Saddam Hussein was engaged in spreading his weapons of mass destruction to terrorists with a return address of Baghdad. I just thought I'd mention that.

General Clark, your observations?

General CLARK. I've been concerned that the attention on Iraq will distract us from what we're doing with respect to al Qaeda. I don't know all of the particulars today of how we distribute our resources around the world. These are details that are classified. They're handled by well-understood processes. But it's been my experience, from commanding in combat, that I would like every bit of intelligence I could get, and we used a lot going after only that small part of Europe which we were attacking in 1999 inside Yugoslavia and in Kosovo.

So I think, as a minimum, that when one opens up another campaign, there is a diversion of effort. The question is whether the diversion of effort is productive or counterproductive. There are forces operating in both directions at this point. You can make the argument that General Shalikashvili did, that you want to cut off all sources of supply. The problem with that argument is that Iran really has had closer linkages with the terrorists in the past, and still does today, apparently, than Iraq does. So that leads you to then ask, well, what will be the impact on Iran? That's uncertain. If you could take these weapons out quickly, then it would cut off that potential source of supply.

On the other hand, by lumping the two together, al Qaeda and Saddam Hussein, it's also possible that we will have incentivized Saddam Hussein now, as a last-ditch defense, to do what he wouldn't have done before, which is, "Go find me the nearest members of al Qaeda. Here, take this sack and do something with it." So it's not clear which way this cuts right now.

But, at some point, we are going to have to deal with Saddam Hussein, we are going to have to work against the weapons of mass destruction, not only there, but also in the case of Iran. Whether this is the right way, the right time to do it depends, in large measure, on how we proceed. This is why I underscore again and again the importance of diplomacy first and going through the United Nations, because I think that gives us our best way of reaching out to achieve this objective with minimum adverse impact on the struggle against al Qaeda. The longer we can reasonably keep the focus on al Qaeda, the better that war is going to go, in my view.

Senator CLELAND. If you took out Saddam Hussein and the Ba'ath party, the secularist party, don't the Sunnis and the Shiite Muslims make up the majority of the population in Iraq? Wouldn't that give Iran a strong hand there, and we'd ultimately end up creating a Muslim state, even under democratic institutions?

General CLARK. Yes, sir. I think that there's a substantial risk in the aftermath of the operation that we could end up with a problem which is more intractable than we have today. One thing we're pretty clear on is that Saddam has a very effective police-state apparatus. He doesn't allow challenges to his authority inside that state. When we go in there with a transitional government and a military occupation of some indefinite duration, it's also very likely that if there is still an effective al Qaeda, and there certainly will be an effective organization of extremists, they will pour into that country, because they must compete for their Iraqi people—the Wahabis with the Sunnis, the Shias from Iran, working with the Shia population. So it's not beyond consideration that we would

have a radicalized state, even under U.S. occupation in the aftermath.

Senator CLELAND. General Hugh Shelton was telling me about a week ago, in his great North Carolina accent, which I understand, that if Saddam Hussein were removed and the Ba'ath party ousted, that the Kurds, the Shiites, and the Sunnis would go at each other like banshee chickens.

General Hoar, what's our first priority, militarily? Is it al Qaeda?

General HOAR. Our first priority has to be al Qaeda, and the reason, Senator, is that we are dependent on our European friends and the Arabs and the Muslims around the world. The successes we've had in Morocco, Yemen, Pakistan, and Germany have come as a result of the integrated intelligence of police work. These are the kinds of things that we need. At the end of the day, shutting down the money, using police to find these independent cells around the world will make the difference. We are absolutely dependent on the goodwill and cooperation of these other countries, some of whom have large populations that don't agree with American policies. So I think until we have this under control, we should give it our number-one attention.

With respect to Iraq and the question that you asked Wes a moment ago, in my time at CENTCOM, one of the major concerns was always the fragmentation of Iraq if there had been an internal breakup or it was done externally. Iraq is a creation of the Ottoman Empire and British colonialism. It was never a country of itself. As a result, it will always be susceptible to that problem. The borders were drawn artificially, and we live with that problem with Kuwait and Iraq today.

Senator CLELAND. Thank you, sir.

General McInerney.

General McINERNEY. Senator, I clearly think that al Qaeda is our top priority. It's not our only priority. I think that people who think we can only handle this small operation miss what the issue is.

The issue is, does Iraq, as a terrorist state, get weapons of mass destruction in the hands of terrorists, just like he's influenced the PLO? As soon as the President had this brilliant speech last Thursday, what happens in Israel on Tuesday? There is a direct connect between Saddam and other terrorist connections.

Now, it may not be as clear as we would like, because that's a problem of our intelligence system, and that's the ambiguity that I was talking about before. That is the concern that I have, his ability to get weapons of mass destruction. I'm not worried about ICBMs. I'm worried about Ryder trucks out here at North Capitol Street. That is the threat that is included with al Qaeda, Saddam, and weapons of mass destruction—terrorism, terrorist states, and weapons of mass destruction. There's a deep ambiguity there that no one can define accurately, and we must make some decisions, because you can't react after a nuclear weapon goes off in this country. It's too late. There are no fingerprints.

Senator CLELAND. Thank you very much, sir. Thank you, Mr. Chairman.

Chairman LEVIN. Thank you Senator Cleland.

Senator Smith—do you want to speak, John?

Senator WARNER. Thank you, Mr. Chairman. I'm going to wait until a later opportunity after my colleagues. I'll follow on. I appreciate the courtesy of Senator Smith.

Thank you.

Senator SMITH. Thank you, Senator Warner. Thank you, Mr. Chairman. Good afternoon, generals, and thank you all for your service to your country.

General Hoar, I was listening to your comments very carefully, and there was one chilling word that you used when you said you "think" we have the time. I think that really sums up the issue at hand, do we have the time or not? That's, of course, right on the President's desk. As President Truman said, "The buck stops here," and it does, and it's a tough call.

But I think if you go back to what General McInerney just said, does anybody here deny that Saddam Hussein has the capability to deliver some type of weapon of mass destruction of some type—not any type, necessarily, but of some type to the United States or to an ally? [No response.]

I assume no response means nobody differs with that.

So let me just go right to the heart of the issue, then. If it's trying to build a military coalition, there are some who say maybe a military coalition is not meaningful anymore, and I don't know if I'm there yet, but there are some ominous signs—what the Saudis are doing with restrictions on our bases, what the Saudis are doing with funding al Qaeda, and, perhaps even more troubling, the last few days of the election in Germany where Schroeder, who just won a very close election, said, "Bush wants to divert attention from his domestic problems. It's a classic tactic. It's one that Hitler also used." Those kinds of comments coming from a supposed ally in NATO are very troubling.

I guess the question is, how much hope do you have that we may not have to go it alone, so to speak? I realize there will be a few that will always be with us. Israel will be there. England will be there. I'm not quite sure, after that, who I would count on, but I think I would count on those two.

But what is your assessment? I know you've all been there. I know you're looking in now, but you were there. What is your assessment of how deep and how bad this is this time in terms of whether or not we're going to have the support of allies, both in the Middle East as well as in Europe? I'll just go down the table. General Shalikashvili, go ahead.

General SHALIKASHVILI. There's no doubt in my mind at all that coalitions are extraordinarily valuable and sometimes essential to get the job done. In a conventional operation, like potential conflict against Iraq, you'd talk about overflight rights, you'd talk about basing rights, they were talking about moving supplies, you're talking about intelligence sharing. All of those, when you look at the geography, are terribly important issues. While there are some work-arounds to be able to do that without allies, it sure as heck is extraordinarily useful to have them and, in some cases, essential.

Look at our war against terrorism. Please don't hold me to the number, but something in the back of my mind says that we have

some 90 nations that are assisting, in one form or another, in our war against terrorism.

Those people who say the days of alliances and coalitions are coming to an end, I think, don't look at the reality of it. This administration has relied very much on coalitions, much more so than, for instance, during Operation Desert Storm. During Operation Desert Storm—and General Hoar would know the number better—I think we had some 30 or 36 coalition partners. Look at the number of coalition partners we have today in the war against terrorism. Vastly greater.

Senator SMITH. I would agree with you that having a coalition would be obviously helpful and very important. I guess the question really is, though, can we count on it? If you looked at, especially, the Saudis. We know for a fact they're funding al Qaeda. They encouraged some of the terrorist acts by these martyr funds. You can't overlook that. This is not 1991. I guess that's really my question.

General Clark, you probably could comment best on the German situation, but it just seems to me that there's a little piling on here. I think some have said that Schroeder won the election because he piled on America a little bit, and maybe he did.

So, those are the concerns that I have, not that I don't want a coalition, but that I'm worried about whether or not there will be one if I could just editorialize a little bit and maybe just have the rest comment.

General SHALIKASHVILI. I agree with you, and I would tell you that we're going to have coalition partners in this. You mentioned some of them. I think there will be many more.

How many we have depends, to a large extent, on how successful we are in our diplomatic efforts to bring them onboard and how successful we are in getting our partners on the United Nations Security Council to go along with a strong resolution that ultimately authorizes the use of force to remove those weapons and the means to produce them, should we be unable to do so through inspection or other diplomatic means.

The answer is yes, we are going to have coalitions. We are going to have more than are apparent now, because many of them are probably reluctant to say anything now for internal political reasons, but they will be there. If we are successful in the United Nations, I think the number can be quite extensive.

Senator SMITH. I guess my time has expired. Could General Clark just respond?

General CLARK. I was in Germany last week, Senator. I met with a lot of people in Germany. There's a lot of embarrassment over the rhetoric in that election campaign. Nevertheless, domestic politics is domestic politics, I guess, and it certainly plays over there in a certain way based on a perception of the United States and its activities in the world.

But I'm convinced that, the election being over, when the United States needs help from its European allies, it will get that help. I would hope that we will go through the established mechanisms and use the consensus engine of NATO in an effective way to help us get a grip on the war on terror, to an extent we haven't done yet, and also to help us deal with the problem of Iraq. If we do

that, of course, whenever you work with allies, and they sign up to it, they want assurances from you about what you're going to do, what you're going to bomb, how soon you're going to do this. It is difficult, time consuming, and, in some cases, restraining. But I think, as General Shalikashvili made clear, the advantages are so overwhelming that we really need to pursue that route in this case.

General HOAR. Sir, may I speak briefly about Saudi Arabia?

Senator SMITH. It's up to the chairman. I'd like to hear—

Chairman LEVIN. I think not. If it's not an answer to that specific question, I think—

General HOAR. Well, it is in response to the Senator's comments.

Chairman LEVIN. Can you make them very brief?

General HOAR. Yes, sir.

Chairman LEVIN. Okay.

General HOAR. Saudi Arabia has been a friend of this country for 50 years. Saudi Arabia bankrolled 50 percent of the war against the Soviet Union in Afghanistan. They paid \$17 billion in the Gulf War. They paid \$20 million a month every month, month in and month out, to finance Operation Southern Watch. They have, on the table, a peace proposal signed by 22 members of the Arab League, as a starter, to start the project of peace in the Middle East. They have problems. There is no question about it. They have not done everything that we want, but neither have our European friends, either.

Senator SMITH. Thank you, Mr. Chairman.

Chairman LEVIN. Thank you.

Senator Akaka.

Senator AKAKA. Thank you very much, Mr. Chairman. We're certainly honored to have witnesses such as you who are regarded as heroes of our country, militarily.

In the Persian Gulf, we had strong allied support, including bases in several Arab states and participation by their troops. Today, the degree of participation and the amount of access to bases in the region seems to be in question, and you've indicated that. I agree with the witnesses that we need adequate preparation to reduce American casualties and that we should not act in haste.

A study by the Army's Center of Military History suggests that we might need to keep 100,000 troops in Iraq and 300,000 in Afghanistan if we're going to stabilize these countries. General McNeil is quoted today saying that there are as many as 1,000 al Qaeda fighters still active in Afghanistan. I am concerned that in focusing on an invasion of Iraq we may reduce critical assets, including intelligence, that we need to stabilize Afghanistan.

My question to you is, do you think there will be some degradation of our military capabilities in Afghanistan if we do attack Iraq in the next few months?

General Shalikashvili.

General SHALIKASHVILI. It's very difficult for me to answer that with any degree of specificity, because I have not asked for and I have not been given a briefing on the operational concepts that we intend to use in Iraq, if we were to go there. Either way, it would not be very appropriate to discuss that in open session.

But that said, all information I have is that our military today is structured to be able to engage in one regional contingency, to



be engaged in one or more smaller types of contingencies like we now have in Afghanistan. In my very informal discussions with my colleagues still on active duty, they are of the view that they have sufficient forces, and the forces are ready enough to do so without any degradation of our effort in Afghanistan, with perhaps the exception of some enabling forces that would have to be brought in from the Reserves, but it's too early to tell to what degree.

So they don't seem to express to me the concern that I had, as well, and that you mention now, to what degree this will be a detraction from our ability to handle our responsibilities in Afghanistan.

Senator AKAKA. General Clark, would you have a comment on that?

General CLARK. I think that there will be some spread of command attention in terms of planning for one operation while you're running another, but there are different headquarters to handle it. There is a possibility that you'll lose access to some intelligence collection means, depending on the numbers of platforms available, and so forth, but I don't have that information. There may be enough to meet everybody's minimum needs here in these two theaters.

I think the real issue is whether there's synergy between the two operations or not. There are arguments to be made on both sides. There are those who say that if we go in to Iraq, it will send a very strong message to those nations that are playing both sides—countries like, for example, Yemen, where we've had some difficulty gaining access—and it may send the kind of message to Yemen that says, "We're going to get rid of al Qaeda right now. Turn 'em all over. Invite the Americans in."

On the other hand, if we go in unilaterally or without the full weight of the international organizations behind us, if we go in with a very sparse number of allies, if we go in without an effective information operation that takes this through and explains the motives and purposes and very clear aims and the ability to deal with the humanitarian and post-conflict situation, we're liable to supercharge recruiting for al Qaeda.

So I think it's indeterminate at this point how much synergy there is. It's not a given that there's synergy, but there is a possibility of synergy between the two operations. There's also a possibility of some fatal conflict between the two operations.

Senator AKAKA. General Hoar.

General HOAR. Yes, sir. When I was at Central Command, there was always the question of priorities of certain platforms and so forth. I think it's unavoidable that there would be some deficiencies, but I'd prefer not to discuss that in an open forum, and I'm sure the active-duty people could give you a much better indication of the current status.

Senator AKAKA. In the Persian Gulf War, we did not go all the way to Baghdad and replace Saddam Hussein. If we are planning to do so this time, most of you suggest that we should be planning also for what we will do in Iraq afterwards.

General McInerney has suggested we need a shadow government. Do you have any thoughts you can share with us about what we should be doing now and who should be responsible for develop-

ing a post-Saddam occupation strategy? Is there one being designed at the present time?

General Shalikashvili.

General SHALIKASHVILI. One of my colleagues mentioned that perhaps a more difficult and equally important part of our thinking should be devoted to what will happen after we go in, as it is about how we get in and so on, and I fully agree with that. Yet this is the most difficult thing to do, and it's most difficult to pin the tail on a donkey as to who it is that is responsible for it.

Surprisingly enough, in the open press, in the open discussion that's all that I've access to, there's been very little of that discussion. There's been very little about what opposition forces there are, what political elements there are to tie together these disparate groups between the north and the center and the south. We've already talked about the potential of them splintering, and none of us are really sure whether that will happen or not. But there needs to be someone worrying about it, and a blueprint needs to exist as to who will do what.

I think we were very fortunate in Afghanistan that, in fact, an interim government emerged that seemed to have a modicum of support from its people, although we continually worry about the independence of warlords. We should not count on being lucky twice.

I wish I could tell you that I have heard somewhere on the West Coast, where I now live, that this is all under control. I do not have that confidence at all. But that doesn't mean that something isn't ongoing. It surely is not the task of the Defense Department. Yet, from Haiti to Bosnia and other places where we went, invariably that part that should fall on the civilian institutions to do fell back on the Defense Department, because it's a kind of entity that you get your hands around and you can order them to do something, and they generally have the means to do something.

But to establish a government to ensure that the government has the political support, that the security structures are there, that the police forces are there, and all of the things that we saw as very negative aspects of our previous operations in the previous administration, someone needs to be taking care of it. It must not be put on the hands of the Defense Department.

Senator AKAKA. General Clark.

General CLARK. I just want to underscore everything General Shalikashvili had to say on that. I think that it's a very difficult task. I think it's really the critical task, in terms of winning. I think it's the most difficult part of this operation. It has not received adequate attention in public discussion. Whether there have been decisions made on this or not, I don't know. The track record in Afghanistan is that we're more lucky than we are good there. There are still enormous problems to be dealt with, particularly on the reconstruction side. We know the military is not the right institution to do this. We know from our experiences in Bosnia, Haiti, and Kosovo that you can't just dump this on the United Nations, that there has to be a support organization established.

I go back to Vietnam, and we did have an organization in Vietnam that did this. It was called Civil Operations Revolutionary Development Support. It did some other things that caused it to be

discredited. But in terms of actually covering a country and providing district-by-district, province-by-province resources that could help in the transformation of that country, this was an organization that was very effective. It had a chain of command. It had resources. It had transportation. It had communications. It had a military cadre that was part of it, but it also had primarily a civilian cadre. So if you needed an agricultural extension element, you could get the Department of Agriculture to do it. So it's the United States Government that has to take the lead in planning this.

In the mid 1990s, we created an organization, a framework, for this, Presidential Decision Directive—PDD-56, I think it was—in which there was a mechanism for tasking each of the agencies of government. Whether that's in place or not, I don't know, but it is the most challenging part of this operation, and the United States Government needs to take the lead before it hands it off to the United Nations.

Senator AKAKA. General Hoar.

General HOAR. Yes, sir. I think, as my colleagues have said, this is the part of this operation that has received very little attention. Given the failure in 1991 to have a war termination plan that would allow us to have a set of circumstances existent in Iraq that would be favorable to us, it seems to me that we should not go down this road again.

What to do after we get to Baghdad seems to me a little like what happens to the dog when he finally catches the car—what are we going to do now? I would suggest to you that it's a National Security Council issue, and it needs to be developed. I hope that this committee and other committees would ask the administration what their plans are after they get to Baghdad and catch the car.

Senator AKAKA. General McInerney.

General McINERNEY. Sir, I brought it up in my opening comments, because I think it is extremely important. I think we have great experience from World War II. I lived there as a youth and watched how the U.S. military did that. I think General Clark had a much tougher problem, or equally as tough, in Bosnia and Kosovo. We've had experience. It is not one that is above our skill level, and particularly because Iraq probably has the best middle class, the most educated people—they have over 2 million Iraqis that are in the United States today that could go back, could help. Afghanistan, to me, is much harder. But it clearly is one of the important questions we must work on because it's that success that will determine the whole success, I believe, on this war against terrorism.

Senator AKAKA. Thank you very much for your responses.

Chairman LEVIN. Thank you, Senator Akaka.

Senator Bunning.

Senator BUNNING. Thank you, Mr. Chairman. I'd like to put an opening statement in the record.

Chairman LEVIN. It will be made part of the record.

Senator BUNNING. Thank you.

[The prepared statement of Senator Bunning follows:]

## PREPARED STATEMENT BY SENATOR JIM BUNNING

We are here today to deal with an issue of the utmost importance. As elected representatives of this Nation, we have a responsibility to protect our citizens from all threats. The President had laid out the threat posed by Iraq. We must now decide what to do about it. It would be best if we can act in concert with our allies, but the possible lack of their support must never stop us from protecting our citizens. If we knew about the plot before September 11, would we have waited until we could get international agreement, or would we have done whatever was necessary to prevent over 3,000 of our citizens from being murdered? The answer is obvious. We must be forward thinking in admitting what the threats are, and bold in ensuring that they are dealt with permanently.

Saddam Hussein must know that there is no opportunity for compromise. He must comply with every U.N. Security Council resolution, or he will be destroyed. Anything less than that will only lead to more delay and obstruction. Congress must stand behind the President, to show the world that America is firm in its commitment to remove the threat of the Iraqi regime to the world. I urge my colleagues to support the President.

Senator BUNNING. I thank all of the four generals for being here and for their past service to our country. Thank you.

I'd like to ask a question of all four of you. Has anyone here had a top secret classified briefing on the situation on the ground in Iraq in the last 3 months?

General SHALIKASHVILI. I have not.

General CLARK. I have not.

General HOAR. I am unencumbered, sir.

General MCINERNEY. No, sir, I have not.

Senator BUNNING. Okay. I just wanted to make sure that the opinions we are hearing are from your past experience. Is that pretty accurate?

General CLARK. Well, they're from the past experience, plus everything we can get out of the day-to-day—

Senator BUNNING. Reading in the newspaper.

General CLARK.—information we're getting here and in—

Senator BUNNING. Just like *The New York Times* and the plan for what we had for Iraq? Okay, that's what—

General MCINERNEY. I have, in fact, been in touch with Iraqi dissidents, seen a war room here in Washington and a number of other things, but that's not—

Senator BUNNING. I just wanted to make sure of where we were in relation to your background and your briefing on this situation.

General Shalikashvili, tell me what you think is a "proper inspection"—you mention it in an earlier statement—for the U.N. What is a proper inspection?

General SHALIKASHVILI. I think it is an inspection that is devoid of any interference by the Iraqi government, as all previous inspections have been, one that has the best possible chance of getting at the truth, how much and where their equipment is.

But that, in itself, is not enough, because, as I think we're all aware, finding out the truth is only the first step. The second equally important step is being able to do away with those weapons of mass destruction and all the means to produce further weapons. That's the total package that I mean by "proper inspection."

Senator BUNNING. Okay. Do you think there's any chance in the immediate future of that type of an inspection being agreed to by Iraq and the leader of Iraq, presently?

General SHALIKASHVILI. There are two parts to my answer to your question. The first part is that it's very difficult for me to

imagine that Saddam Hussein will have a change of mind and somehow agree to that. But it is too early to be certain that that is so.

The second part of my answer will be that in trying to get that and trying to get that kind of an inspection system and trying to encode that in a resolution that also allows the use of force, should those such inspections not occur or be unsuccessful, it is terribly important for us politically and, in effect, operationally, because it brings with it, then, the weight of the rest of the United Nations and our friends and allies to our effort.

Senator BUNNING. Thank you very much.

General Hoar, you mentioned the Gulf War and the amount of casualties that might be expected in a war with Iraq in your statement. Wasn't the same thing said by the military when we were fighting the Gulf War prior to our successful completion of that war?

General HOAR. I can tell you that during the Gulf War, I had just left Central Command. I had been the Chief of Staff to General Schwarzkopf and came back to Washington to be the Operations Deputy for the Marine Corps. One Saturday, just before the ground attack went down, General Al Gray and I went down to Quantico to look at a simulation of casualties, and it was determined that if the Iraqis used chemical weapons against the two marine divisions as they penetrated that fortified line, we could expect to have as many as 10,000 casualties. There were very high estimates of casualties if weapons of mass destruction were used.

But as we got closer to the day that the ground forces kicked off, those operations that were conducted beyond the wire to see what the Iraqis were doing led us to believe that it was not going to be as difficult as was originally thought, mainly because those divisions that were up against the wire along the border had very poor morale and had been severely degraded by the air attacks.

Senator BUNNING. Yes, sir. Okay. You also mentioned that there has been scant discussion on post-war Iraq.

General HOAR. Yes, sir.

Senator BUNNING. Where do you get that information?

General HOAR. I read three newspapers a day and watch what I see on the Internet. If it's out there, it certainly isn't in the open press. It would seem to me, with all of the discussion about military operations—inside-out, outside-in, who's going to be involved—that we would hear something about post-hostility activities.

Senator BUNNING. Well, I hope that our military and our State Department and those that are making contingency plans if we do this would not give us a forward pass, so that everybody in the United States would know exactly what we were going to do after we liberated Iraq.

General HOAR. I would agree, sir, but I think there's a good opportunity for closed session hearings so that this body would be well aware.

Senator BUNNING. Yes, I agree 100 percent on that.

General Clark, you said something about public discussion on the war termination. What did you mean by "public discussion"? Do you mean between the military and the State Department in top secret briefings, or—what are you talking about?

General CLARK. I think I'm talking about the same thing you just asked General Hoar about, Senator, which is that, from listening to everything, including the hearing that was held last week with the Secretary of Defense, we're getting the impression that the war planning is proceeding chronologically. That is to say, how do you get the troops there? What do they do when they cross the line of departure? How do they respond when they move toward Baghdad? What about Baghdad? What we know is that, to be successful, we have to do backward planning. In this case, from the weapons of mass destruction—

Senator BUNNING. Did you do that in Kosovo?

General CLARK. Absolutely. We had a peace plan in place. We knew the sectors—we knew who was going to participate before we ever dropped the first bomb, and that was a big factor in providing nations the assurance that they could join in with us. That's why you not only—

Senator BUNNING. Did that also have the contingency plan that we would have on-the-ground troops stationed there for whatever amount of years it takes?

General CLARK. Well, we never specified how many years it would take, and we haven't in this case, either. But we did have the brigade sectors. We defined the American commitment and the other national commitments. Yes, sir, we did.

Senator BUNNING. Lastly—and I know my time is up—I have an awful lot of confidence in General Colin Powell, our Secretary of State, that he will be successful with our many coalition partners, as our Secretary of State was during the Gulf War in putting together a very large contingency. Presently he had been very successful in the war on terrorism, to get about 90 countries in a coalition. I agree with you 100 percent, we should do everything we can possibly do with the United Nations. But then the buck stops on the President's desk.

Thank you.

Chairman LEVIN. Thank you very much, Senator Bunning.

Senator Reed.

Senator REED. Thank you very much, Mr. Chairman. Thank you, gentlemen, for your very insightful testimony and for your extensive service to the Nation. I was calculating, I think there's over 100 years of experience in uniform at the table. I don't want to make you feel old, but you represent quite a distinguished group of witnesses.

General Hoar mentioned that the casualty estimates he saw early on at Quantico, if CBR—chemical, biological, and radiological weapons—were used, were in the thousands. In 1991, Saddam and the Iraqi military refrained from using those weapons. Some people posit that was because he was assured, directly and indirectly, that he would survive, Baghdad would not be assaulted if he did not use them. That situation is completely reversed.

So let me ask you, what is the likelihood in your estimation that chemical and biological weapons would be used against us in the buildup phase or the assault on Baghdad? What would be the likely casualties that Americans would encounter, and also the civilian collateral damage that would ensue?

General Shalikashvili.

General SHALIKASHVILI. I certainly don't have any intelligence information that would answer this issue. I would tell you that any intelligence information on this issue, I would hold very suspect anyway, because we're talking of intentions, and intelligence isn't very good on that. But we certainly cannot exclude the possibility that chemical weapons would be used against our troops in that conflict. While you can argue, and correctly so, that our defensive capabilities are better than they were in 2001, that our detection systems are better, that we now understand better, that to deal with chemical attacks, you have passive defense, but also active defense, and all the things that you're well aware of.

Nevertheless, if he were to use chemical weapons against us, and that is a possibility, the casualties, in my judgment, could be very high. Beyond that, I wouldn't trust anyone assigning any numerical number.

Senator REED. General Clark.

General CLARK. I think that there's a possibility he will attempt to use weapons of mass destruction. I think there's a possibility he would attempt to use them before we would launch our attack, when we stage our forces. I think there's also a possibility he will use them against his own population, and, in particular, against the Shia population in the south, in order to create the kind of humanitarian catastrophe that could be blamed on the United States and could degrade our ability to act against him.

What the probabilities are is anybody's guess. My guess is that it's under 50 percent, and perhaps well under that. Not only will we be taking every action we can to prevent him from doing that, but he will have to have a chain of command that's willing to take those kinds of measures. I think, as we build a coalition, as we make it very clear we're coming and what the consequences of that entry will be, we'll be undercutting pretty severely the morale of his armed forces and its ability to execute its orders.

Senator REED. Can I infer from your response that one of the benefits of a U.N., at least, related coalition would be that we would raise the threshold, in terms of his use of these types of weapons?

General CLARK. I think that's correct.

Senator REED. That would be a significant advantage to our troops and to the reconstruction.

General CLARK. Absolutely.

Senator REED. General Hoar.

Chairman LEVIN. Excuse me. Apparently General Shalikashvili was nodding, and I think it's an important question. Did you agree with that?

General SHALIKASHVILI. Yes, I did.

Chairman LEVIN. Okay, thank you. Just for the record. Thank you.

Senator REED. General Hoar.

General HOAR. Yes, sir. I believe that one of the reasons that Saddam Hussein didn't use chemical weapons during the Gulf War was that Secretary of State Jim Baker met with the Iraqis before the war began. While I'm not privy to what was said, I am told that he threatened the Iraqis with catastrophe, not further defined, should they use weapons of mass destruction.

We are now saying that, regardless of what happens on the weapons, we're in favor of a regime change. We've all said that here today. It seems to me that that reduces the possibility that Saddam Hussein could not use the weapons in order to save his skin. We've already told him that he's out of there once we conduct this campaign. The Vice President has said that.

So I am not sure. I think that there is the possibility, because there's little for him to lose.

Senator REED. General McInerney.

General MCINERNEY. I think, sir, that we have to plan that he will. None of us know what the percentage is, so how do we plan? Number one, in our intelligence operations (IO) campaign, which I mentioned, as others have, we send the word, and we have daily people coming out with communications, we know the numbers of all their division commanders, who these people are, that in that IO campaign, they are told that they will be tried as war criminals by Iraqi justice, not ours—ours is too loose—and the finality of the Iraqi justice system.

Number two, we want to preempt where these systems could come from, as targets, and that's why this massive campaign is focused on weapons of mass destruction with precision weapons.

Number three, that's why I don't favor a huge buildup. I want small, fast-moving units that move through this—and in their CVR outfits and they're moving fast.

I commanded a unit that delivered—had chemical weapons in the days before we terminated their use. I can assure you, trying to marshal that, plan for it, and the difficulties that you get in trying to use it is not an easy task. If they haven't been practicing a lot, I assure you, their readiness to do it is poor—but we should still plan for the worst and hope for the best.

Senator REED. My time is expired. But there seems to be a divergence, at least in my mind, between the testimony of our Army generals and perhaps our Marine general. They're talking about a heavy assault for any contingency that they face. General McInerney is talking about light forces sweeping quickly out—

General MCINERNEY. I'm talking heavy, medium, light, covert, airborne, all of them. It's not the size. Speed is more important than size in this new warfare with this massive air precision campaign simultaneously working. That is the difference that we are talking about, and it's a good debate, Senator.

Senator REED. Thank you, General. Gentlemen. Mr. Chairman. Chairman LEVIN. Thank you, Senator Reed.

Senator Sessions.

Senator SESSIONS. Thank you, Mr. Chairman. It's very good that we have these kind of hearings and we have it all out on the table and talk about these issues, some of which we can't talk about in public because of security reasons.

General McInerney, in this last attack by Saddam Hussein on his own people—one quick question—during which he reportedly killed as many as 5,000 Kurds with poison gas. Was that delivered by aircraft, or do you know?

General MCINERNEY. I think it was aircraft. General Shalikhvili, do you remember? It was either aircraft or artillery. I just can't remember, sir.



General SHALIKASHVILI. To the best of my knowledge, it was done by artillery, but this happened in the 1980s, and my involvement with the Kurds was in 1991.

Senator SESSIONS. I am wrestling with the overall picture. I know several—

General MCINERNEY. But that was a village, as I recall. That was not troops moving through rapidly, et cetera.

Senator SESSIONS. Right. I am wrestling, in general, with where we are as a Nation and where we are as a world at this point. I don't think you three gentlemen, who are heavily into the multilateral mode, mean to be uncritical of the U.N. and our European allies and other world allies for their behavior so far with regard to enforcing or lack of enforcement of resolutions that they have lawfully implemented and that Saddam Hussein solemnly agreed to. That is a big problem.

Let me just refer, since I think it's a very august publication and taking the issue very seriously, to *The Economist*, the British publication. They note that, "Iraq is actually the best example there is of America following multilateral procedures which an arrogant unilateralist called Saddam Hussein proceeded to flout. The question then is what do you do when international deals and procedures are broken? Sit back and pretend it didn't happen?" They go on to say that, "At every stage, the multilateral approach has failed," after itemizing these things, "blocked by Iraq or by permanent members of the U.N. Security Council, chiefly France and Russia, those countries, China, and others have been circumventing the sanctions."

So let me ask, first, would anyone disagree that members of the Security Council and/or other members of the U.N.—who swear so much fealty to that organization—are, indeed, undermining the very resolutions that we're concerned with here?

General SHALIKASHVILI. I would certainly not disagree with you at all. I think all of us are guilty of that. The United States, too, in the past, as a member of the Security Council, has perhaps not been as strong and as vigorous in trying to push for resolution of this issue.

Senator SESSIONS. General Clark, we're flying missions, and have been for years, enforcing a no-fly zone in Iraq, which is part of the conditions Saddam Hussein agreed to. He fires surface-to-air weapons at us, and we drop bombs on him on a regular basis. This has been going on for many years. Isn't that a cause for concern here?

General SHALIKASHVILI. Absolutely, but I will remind you that the British are flying with us, the Turks are flying with us, and, for—I don't know if today, still, but for the majority of my time when I was still involved, the French flew with us.

Senator SESSIONS. Well, the British and the Turks and the United States are ready to do something, it appears.

General Clark, I'll just ask you to comment on it. This is something you've been dealing with. You dealt with it in Kosovo and in Europe, and we need to talk about it. "Thus, the limit to a purely multilateral approach"—I'm quoting from *The Economist* here—"under the advent of the 1945 U.N. Charter, is exposed. Beyond economic sanctions, which have already failed or been scuppered by U.N. members, there is no enforcement mechanism except Amer-

ican leadership.” That is what is likely to happen. There will be a multilateral process along the lines described here. It will fail, and then America will invade.

Isn’t that what we’re doing? We’re challenging the U.N. to maintain its own credibility as we have to maintain our own credibility here. The President has taken his case to the U.N. He’s lobbying nations individually, bringing them to Texas, doing everything he can do. But ultimately, aren’t we at a point where we’re going to have to either quit and go home or take action?

General CLARK. Well, I don’t know that we’re at that point right now, Senator. I think it’s—

Senator SESSIONS. Well, how much longer do you think—

General CLARK. —clear that you have to—

Senator SESSIONS.—we need to wait?

General CLARK. —look ahead and see. I think you need to work through all options. When you’re talking about American men and women going and facing the risks we’ve been talking about this afternoon, and if you’re talking to the mothers and the loved ones of those who die in that operation, you want to be sure that you’re using force and expending American blood and lives and treasure as the ultimate last resort, not because of a sense of impatience with the arcane ways of international institutions or frustration from the domestic political processes of allies.

So I’m not on the inside of those negotiations. I can’t tell you how much further they are. But I do know, from my experience in working in Europe and inside NATO, that it takes a lot of different twists sometimes, diplomatically, to get the outcome you want.

Senator SESSIONS. What we have already is 16 resolutions. I guess we can go for 1 more, but there’s 16 U.N. resolutions out there that Iraq is in violation of.

General CLARK. I think we have two—

Senator SESSIONS. I will just say to you—my time is up—that at some point I do believe the United States is justified in acting. As I think Kissinger once said, “Nothing clears the mind so well as the absence of alternatives.” The President’s basically put it out to the U.N., “Either you act, or we are. We will not concede this.” Yes, we could lose troops. We lost 3,000 in New York last September. Hopefully, we haven’t forgotten that.

Thank you, Mr. Chairman.

Chairman LEVIN. Thank you, Senator Sessions.

Senator Kennedy.

Senator KENNEDY. Generals, I want to thank you all for being here. This has been a long afternoon, but the breadth of your experience and involvement in similar kinds of circumstances is of great value and help to all of us, so I want to thank all of you for your response. Obviously, you’ve given these issues a great deal of thought, and it’s extremely valuable to us.

I share the feeling of those that have expressed that al Qaeda is really where it’s at right now. Saddam Hussein is dangerous. He is a threat, but the questions come in to how much of an immediate threat, where as we know al Qaeda continues to be a threat.

I don’t happen to be as sanguine as some about the conditions in Afghanistan. There are a lot of reports that the warlords are back and the tenuousness of that situation is very real. I’m very

concerned about where Pakistan is. Musharraf has been courageous. But how much stability is there in a hornets' nest filled with al Qaeda? The list goes on around the country.

I know that there are thoughtful, well-trained military leaders who indicate that we can do it all. We can do it all. But it seems to me, right now, unless the intelligence has changed, that the intelligence that all of us have received is that he doesn't have the nuclear weapon. He'd like to have it, and if he is able to gain fissionable material, he can move along with it in less than a year. But if not, it's going to take him a few years to do it. That's basically what we've all heard. So he doesn't have that. He has weapons of mass destruction. So do the Iranians, as has been pointed out here.

We have to ask ourselves, as has been mentioned by the members here, with this kind of activity, of military intervention—and I want to come back to the manpower that you all think is going to be there and, second, whether you do believe that there's going to be a guerilla war. We've had many of those that have testified that this will be different, and that the Republican Guard would fight in the cities, because, although they felt that his right to go into Kuwait was rather tenuous, they feel now that we're after him. So I'll be interested in what you thought about this.

But we have to balance the dangers of these weapons of mass destruction. If you're talking about biological and chemical, we ought to be scared to death about the dangers of proliferation of nuclear material out of the Soviet Union. We're about to spend \$150 billion to do something—with loss of life—over in Iraq, and we've spent less than a billion dollars in trying to keep fissionable material away from the terrorists. There's something wrong with our priorities here.

You talk about creating a climate and an atmosphere which will provide enormous recruitment for al Qaeda. What's going to happen if they do use them? The general said there is somewhat less than 50 percent probability. That's still a pretty high possibility of using some kind of weapon of mass destruction against the Israelis. Prime Minister Sharon said they'll retaliate. Are we going to be sanguine about the dangers of even nuclear weapons in this? What is that going to mean? How much of a danger is that in that region? Will the terrorist groups that are in Iran start pumping out the weapons of mass destruction to all these terrorist groups?

I think you've mentioned so many of these points which we ought to be thinking about when we're looking at this, both from a military perspective and from the real security interests that we have.

In the short time that I have, I'm interested, just quickly from all of you, in what you think is going to be necessary in terms of the force levels. Second, what assessment you'd give, that if this does turn out to be an urban battle—I'm glad Jim Baker was able to talk Saddam Hussein out of using it. Why in the world aren't we using him now to talk him out of it? He was able to go over and have a conversation about it. The reason Saddam Hussein listened to him is because of deterrence. That was deterrence that dominated the whole relationship between nuclear powers for 50 years.

We know what we would do with our backs against the wall. We almost did it in the Cuban Missile Crisis. We know what the United States would do. Why should we believe Saddam Hussein is going to be different if he's pinned against the wall in Iraq and using weapons of mass destruction? If there is going to be a battle, in terms of urban warfare, where are we going? What do you think will happen on that? If the panel could give their answers to that, and then I think my time will be up.

Thank you.

General SHALIKASHVILI. I think it's impossible, Senator Kennedy, to give you a number of our forces that will be necessary to get the job done without knowing exactly what job they are going to be asked to do and understanding the concept of operation. Any number that you can get probably has the same validity as I remember before we went into Bosnia. We had this discussion that it would take 400,000 people, because the Germans needed that many.

So I will tell you, I am of the view that Saddam Hussein's forces today are about half the strength that they were during Operation Desert Storm and that they're probably less than half as ready as they were during Operation Desert Storm. We are certainly much smaller also, but we are—and I hope I'm not overstating it—vastly more capable than we were at Operation Desert Storm. So it would tell you that we probably should get by with about half the forces we used in Operation Desert Storm. But I wouldn't take it to the bank anywhere until you know what the tasks are and you do what the military calls a troop-to-task analysis and then add them all up and see how many troops you need. Until you know the concept of operation, you can't do that. So that's the best I can do for you.

Senator KENNEDY. I think it's regime change. I won't—would be the task, I expect. That's what we've been—

General SHALIKASHVILI. But I supposed that an awful lot of tasks—whether you do it with the hypothetical method that General McInerney described or whether you do it in a more conventional method, or whether you do this with special operating forces or whatever. There are many different ways that you could want to do that. Until you decide you cannot compute how many troops it will take you.

I think if it gets to urban warfare, and the likelihood is certainly great that it could, just like the likelihood is that he could use weapons of mass destruction, it could get very messy. The collateral damage could be very great, and our own casualties could increase significantly.

Senator KENNEDY. General Clark, my time is up. Maybe you each would give just a brief comment.

General CLARK. I think you need a large-sized force, because I think you have to prepare for the worst-case contingencies in this case. I don't think all those forces have to be there necessarily at the outset. I think you want to move for a very rapid campaign. I think you want to plan on urban fighting, which means you want to try to attack the forces that are in the urban area first, you want to try to prevent other forces from reinforcing them, second, and then you want to get your own forces in there to prevent the emergence of some kind of a fortress Baghdad as rapidly as possible.

General HOAR. Sir, I hope that Tom McInerney's view of this works. But if it doesn't, we have to be prepared to fight block by block in Baghdad. As Wes says, I hope we can take the steps early on to make sure that it doesn't happen. But you can't have those people hanging out in North Carolina or in Georgia waiting to go. They have to be in the theater ready to go so you don't lose your momentum.

In urban warfare, you could run through battalions a day at a time, one battalion, that are just combat-ineffective because of casualties. This is very slow going. All our advantages of command and control, technology, mobility, all of those things are, in part, given up, and you are working with corporals and sergeants and young men fighting street to street. It looks like the last 15 minutes of "Saving Private Ryan". That's what we're up against.

General MCINERNEY. Sir, obviously I give a different viewpoint. The way I look at it, number one, it'll take 30,000 to 50,000 U.S. ground forces, maybe not all there at the start, and if you need more, you add. It'll be over 100,000, counting the coalition forces, the Brits, opposition, different people.

Now, here is why I think this is important, where I'm different. People must understand what a war of liberation is. I just got an e-mail today from a Republican Guard general that defected. The fact is, the Republican Guards are not allowed in Baghdad now, only the special Republican Guards. On February 14, Saddam killed 10 Republican Guard generals led by a three-star. On the first of June, he arrested 85 officers. He's not arresting lieutenants and captains. So he has a major problem, and that's why this information operations campaign that appeals to the army and the people that, "We want to give you a new nation"—and the fact is, that's why I think there will not be urban fighting. Now, I could be wrong, but he won't let the army in the cities now. When they do go in, it's only to keep the cities quiet.

So that is why the view I give, versus others, is different. One's a war of liberation, one's an invasion against a well-entrenched foe that does not want to do that, and I don't think there are many people in Iraq, as the Iraqis told me, that want to die for Saddam.

Chairman LEVIN. Thank you, Senator Kennedy.

Senator Warner.

Senator WARNER. Thank you, Mr. Chairman. Gentlemen, what a pleasure it is to join together again. One of the great privileges of serving on the Armed Services Committee is to work with the men and women of the Armed Forces of all ranks. I look back on memories shared with you on visits to your various forward locations throughout the world in years past.

General Clark, I'm going to pick up on a wonderful theme that you used. As soldiers, sailors, airmen, and marines, you know full well you're ready to fight, you're trained to fight, from your own experience that that's the last resort. All else has to fail. We have in process now those steps, led by the President. The world would not be in this posture today focusing on this situation had not this President and his Cabinet focused the attention on the danger, yes, to the United States, but, indeed, the danger to the world.

But back to the steps he's taken. We've had a good discussion here this morning about the United Nations. Now, in some respects

this shifts to the halls of Congress, and I operate on the following basic premise. I was very much involved in 1991. I happen to have had the privilege of being the principal author of the 1991 resolution which went to the floor and was debated for 3 days and 3 nights, and then, by a mere five votes, carried by the Senate. We worked together in a bipartisan way. Senator Lieberman, of this committee, was my principal cosponsor.

We're now in the process of working a resolution that Congress hopefully will pass here in a very short period of time before we depart for our home states. I believe that, to the extent that resolution is strong, it's unambiguous, and there's no, should we say, daylight between the position of Congress and the position of the President, the more likely we can avoid use of military force, because it sends the strongest possible signal to the entire world. Most specifically, Saddam Hussein will read that resolution and see that the coequal branches of government—the Executive and the Legislative—are arm-in-arm determined, first to avoid conflict, and, if necessary, only as a last resort, to utilize it.

Now, I asked you to take a look at the resolution, and I will also insert it for the record.

[The information referred to follows:]

THE WHITE HOUSE,  
*Washington, September 19, 2002.*

DEAR SPEAKER HASTERT, LEADER DASCHLE, LEADER LOTT, AND LEADER GEPHARDT, as a follow-up to your discussion yesterday morning with the President, we enclose a suggested form of resolution with respect to Iraq. We stand ready to meet with you or your staffs to discuss our proposal.

As the President indicated to you, it is our hope that we can reach early agreement on the proposal at the leadership level to allow you to proceed to consider the resolution in your respective chambers as soon as possible.

Sincerely,

NICHOLAS E. CALIO,  
*Assistant to the President for  
Legislative Affairs.*

ALBERTO R. GONZALES,  
*Counsel to the President.*

The Honorable J. Dennis Hastert,  
Speaker of the House of Representatives,  
Washington, DC.

The Honorable Thomas A. Daschle,  
Majority Leader,  
United States Senate,  
Washington, DC.

The Honorable Trent Lott  
Minority Leader,  
United States Senate,  
Washington, DC.

The Honorable Richard A. Gephardt,  
Minority Leader,  
House of Representatives.  
Washington, DC.

#### JOINT RESOLUTION

##### TO AUTHORIZE THE USE OF UNITED STATES ARMED FORCES AGAINST IRAQ.

Whereas Congress in 1998 concluded that Iraq was then in material and unacceptable breach of its international obligations and thereby threatened the vital interests of the United States and international peace and security, stated the reasons for that conclusion, and urged the President to take appropriate action to bring Iraq into compliance with its international obligations (Public Law 105–235);

Whereas Iraq remains in material and unacceptable breach of its international obligations by, among other things, continuing to possess and develop a significant chemical and biological weapons capability, actively seeking a nuclear weapons capability, and supporting and harboring terrorist organizations, thereby continuing to threaten the national security interests of the United States and international peace and security;

Whereas Iraq persists in violating resolutions of the United Nations Security Council by continuing to engage in brutal repression of its civilian population, including the Kurdish peoples, thereby threatening international peace and security in the region, by refusing to release, repatriate, or account for non-Iraqi citizens wrongfully detained by Iraq, and by failing to return property wrongfully seized by Iraq from Kuwait;

Whereas the current Iraqi regime has demonstrated its capability and willingness to use weapons of mass destruction against other nations and its own people;

Whereas the current Iraqi regime has demonstrated its continuing hostility toward, and willingness to attack, the United States, including by attempting in 1993 to assassinate former President Bush and by firing on many thousands of occasions on United States and Coalition Armed Forces engaged in enforcing the resolutions of the United Nations Security Council;

Whereas members of al Qaida, an organization bearing responsibility for attacks on the United States, its citizens, and interests, including the attacks that occurred on September 11, 2001, are known to be in Iraq;

Whereas Iraq continues to aid and harbor other international terrorist organizations, including organization that threaten the lives and safety of American citizens;

Whereas the attacks on the United States of September 11, 2001 underscored the gravity of the threat that Iraq will transfer weapons of mass destruction to international terrorist organizations;

Whereas the United States has the inherent right, as acknowledged in the United Nations Charter, to use force in order to defend itself;

Whereas Iraq's demonstrated capability and willingness to use weapons of mass destruction, the high risk that the current Iraqi regime will either employ those weapons to launch a surprise attack against the United States or its Armed Forces or provide them to international terrorists who would do so, and the extreme magnitude of harm that would result to the United States and its citizens from such an attack, combine to justify the use of force by the United States in order to defend itself;

Whereas Iraq is in material breach of its disarmament and other obligations under United Nations Security Council Resolution 687, to cease repression of its civilian population that threatens international peace and security under United Nations Security Council Resolution 688, and to cease threatening its neighbors or United Nations operations in Iraq under United Nations Security Council Resolution 949, and United Nations Security Council Resolution 678 authorizes use of all necessary means to compel Iraq to comply with these "subsequent relevant resolutions;"

Whereas Congress in the Authorization for Use of Military Force Against Iraq Resolution (Public Law 102-1) has authorized the President to use the Armed Forces of the United States to achieve full implementation of Security Council Resolutions 660, 661, 662, 664, 665, 666, 667, 669, 670, 674, and 677, pursuant to Security Council Resolution 678;

Whereas Congress in section 1095 of Public Law 102-190 has stated that it "supports the use of all necessary means to achieve the goals of Security Council Resolution 681 as being consistent with the Authorization for Use of Military Force Against Iraq (public Law 102-1)," that Iraq's repression of its civilian population violates United Nations Security Council Resolution 688 and "constitutes a continuing threat to the peace, security, and stability of the Persian Gulf region," and that Congress "supports the use of all necessary means to achieve the goals of Resolution 688";

Whereas Congress in the Iraq Liberation Act (Public Law 105-338) has expressed its sense that it should be the policy of the United States to support efforts to remove from power the current Iraqi regime and promote the emergence of a democratic government to replace that regime;

Whereas the President has authority under the Constitution to take action in order to deter and prevent acts of international terrorism against the United States, as Congress recognized in the joint resolution on Authorization for Use of Military Force (Public Law 107-40); and

Whereas the President has authority under the Constitution to use force in order to defend the national security interests of the United States;

Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This joint resolution may be cited as the "Further Resolution on Iraq."

SEC. 2. AUTHORIZATION FOR USE OF UNITED STATES ARMED FORCES.

The President is authorized to use all means that he determines to be appropriate, including force, in order to enforce the United Nations Security Council Resolutions referenced above, defend the national security interests of the United States against the threat posed by Iraq, and restore international peace and security in the region.

Senator WARNER. I sent copies there to you—just that last paragraph. But I read, first, from the Constitution of the United States. Each of you raised your arm more than once and swore allegiance to defend the Constitution of the United States. We do so here in the Senate. Article II states very explicitly, "The President shall be the Commander in Chief of the Army and the Navy and of the militia of the several states when called in to actual service of the United States." Very clear. No one else. One man.

Then Section III of Article II, "He, the President, shall, from time to time, give Congress information of the state of the union and recommend to their consideration such measures as he shall judge necessary and expedient." Here it is. This is what he is now recommending to Congress, and it will be the central focus of Congress for these next few days.

I do not find anything in this clear, declarative expression that exceeds any authority that the Constitution gives him. It is, in my judgment, a recitation of the authority given in the Constitution, authority that each of you in your roles, particularly as combat commanders, have exercised in the past.

A simple question to you. You're citizens of this Nation. Do you read this as going beyond the authority given to the President in the Constitution in any way?

General McNerney.

General MCINERNEY. Not at all, Senator.

Senator WARNER. Who would like to go next? General Hoar.

General HOAR. Sir, I have just scanned this. I would prefer a more limited view of time and place than what I read here as an essentially open-ended commitment, sir.

Senator WARNER. Thank you.

General Clark, is this within the confines of the Constitution, or does it go beyond it?

General CLARK. I think that the last phrase in there is a very, very sweeping phraseology, because it's not only international peace and security in Iraq; it's the region. I realize why that's in there, but I think that we will gain power with this resolution and will gain effectiveness in our military operation and in our public diplomacy the more tightly we focus our efforts on the specific objectives that we seek.

So "region" is one of those terms—are we going to restore international peace and security between the Palestinians and the Israelis by this phraseology? What exactly does it mean? So, therefore, what I would prefer to see—

Senator WARNER. If I could come back to you later—my time is running along. If Congress passes this in October, they go home,



they scatter to 50 States and parts of the world. If some situation arose beyond a limitation such as some of you are thinking about, what is the President to do? Bring us back? Is there time to do it? He has to employ troops to take care of that contingency. That's my concern.

General Shalikashvili.

General SHALIKASHVILI. I am of the view that a resolution from Congress is very important now to energize the United Nations and tell them that we stand together, to energize our allies that we are serious about it, we stand together, and to send a strong message, as you said, to Saddam Hussein.

The wording of this is probably a matter for lawyers and senators to pour over, and I'm not competent enough to tell you whether it is too broad or not. On the surface of it, I align myself with General Clark, because I think there needs to be a clear understanding of what is meant by those words, particularly that last sentence.

Senator WARNER. Let me go back to that second subject General Clark touched on, and that is NATO's role. We're about to come up on another summit meeting. At the last, they expanded their role. Frankly, I wasn't altogether pleased at their decision to go beyond the parameters of that original charter. But, nevertheless, they did.

I think they've done superb work in Kosovo and Bosnia—they've turned their eyes away from this conflict between the Palestinians and the people of Israel, and that concerns me. I think there's a connection between that problem and the planning of any operation, should force be necessary, in Iraq. I have, of recent, written the President a letter suggesting that we should ask the North Atlantic Council to consider whether or not, given this expanded charter of NATO, NATO peacekeepers should be used to help ease tensions between Israel and the Palestinians. This will help ease overall tensions in the region, and is in the interests of NATO and the U.S. I have not yet received a response.

Now, before he departed, I gave the Secretary of Defense a copy of the letter, and I'll share the letter with you, should you be interested—suggesting that Europe is perceived as more likened to the causes of the Palestinians; the U.S., more likened, compassionate, for the cause of the people of Israel. If we were brought in, in a peacekeeping role, the United States and Europe, under the NATO banner, and only if the Nation of Israel and the people of Palestine invited them in, and we performed some peacekeeping functions, it seems to me that might contain this situation during that period when the operations in Iraq were to take place, if force is necessary.

Also, I must share a personal experience. I was in Tel Aviv with three other Senators. We were there—Senators Stevens, Inouye, Nunn, and myself—working on urging them to stay out of the 1991 conflict. It was February 18, 1991—I remember the date, because it happened to be my birthday—when the last scud came into Tel Aviv. Indeed, the meeting adjourned very swiftly when the scud fell, and the meeting resumed equally swiftly after we received the “all clear.” But the point being, they have indicated that that might not be the solution. As complicated as the planning is with Iraq, that is a factor that has to be taken into consideration. Were NATO

there, there might be a less likelihood that somehow the Israel-Palestinian conflict would be touched by such conflict as we may find coalition forces, hopefully, engaged in in Iraq.

So my question is, do you have any views on NATO involvement, first, in possibly the role of peacekeeping at the invitation of both nations in the current crisis that we're watching unfolding, and to the extent that NATO should be invited in consultation with regard to the planning, particularly at the U.N., as it relates to Iraq?

General Clark.

General CLARK. With respect to the second part of your question, Senator, I would certainly favor bringing NATO in to do planning for the Iraq operation. I think the NATO organization is a good one. It's a consensus engine. Of course, it means when you bring allies in, you have to listen to their concerns, and that's difficult, and it's time consuming, and it creates friction in operations. But I think, in this case, as in Kosovo, the overwhelming results or the balance of the results is that you need to listen to the allies, you need them onboard. So I would strongly encourage that we bring NATO into this operation.

With respect to the situation with the Israelis and the Palestinians, as I've looked at this situation in the past, we really need, as we have seen in other engagements—some kind of a framework political agreement before you attempt to use forces to impose a cease-fire, because—

Senator WARNER. I carefully said not to impose a cease-fire. The two factions would have to agree on some time of cease-fire and invite NATO in, but that's the only force that can move in 48 hours, the force that's constituted internationally, the only force that's had the experience of peacekeeping in the Balkans.

General CLARK. I think you'd want to have the kind of an agreement where you've taken the incentive away from the Palestinian side to use terror, because if they still use suicide bombers, NATO forces are going to be no more effective, and probably less effective, than the Israelis in stopping that, and they'll be held accountable for it. So I think we'd want to avoid putting our forces, and our own American forces into a situation where they can't win.

Senator WARNER. If they were there, would it lessen the likelihood that somehow Israel would get drawn into the conflict, should force be used in the Iraq situation?

General CLARK. It might, but I think we'll have forces there in any case, with respect to the anti-missile defense that we want to put in place in Israel. I would suspect we would have that.

Senator WARNER. General, do you have a view on first, the Palestinian situation and then the Iraqi situation as it relates to NATO?

General SHALIKASHVILI. Some years before General Clark served as Supreme Allied Commander, I had that job. One of the lessons that I learned was that NATO essentially needs American leadership to take actions, particularly those unusual actions that you suggest. It needs more than just our leadership. It needs our active participation. We have learned from the Balkans that this notion that Europeans do something on the ground and we fly overhead doesn't fly.

So that said, I think NATO should certainly be approached on the Iraq issue. I think it will be extraordinarily useful if a resolution were passed by the council ministers and to give support to the operation in Iraq. I think it should be doable if the United States wants to invest the political capital in it.

As far as the Palestinian-Israeli issue is concerned, the Europeans, in a way, are involved through the European Union, but, in my judgment, not very constructively. So if, in fact, a way can be found to bring this into NATO, where both the United States and the European allies are involved, it might be helpful.

But I'm afraid that General Clark is right, it would be very difficult to bring NATO into this debate unless there were already some political agreement.

Senator WARNER. Well, my question was very carefully phrased—they have to be invited in.

General SHALIKASHVILI. That's right, that both sides would like NATO to help—

Senator WARNER. That's correct.

General SHALIKASHVILI.—implement.

Senator WARNER. Stop the fighting.

General SHALIKASHVILI. Right.

Senator WARNER. Maintain the peace so that then the agreement could be worked through.

General McInerney, would you wish to make a comment?

General McINERNEY. I think, Senator, that the issue with Palestine and Israel—we have different views on this. I don't think that will be solved until Iraq comes down and that regime is changed, because Iraq is fueling, with gasoline, the Palestinian problem. I think it's directly related. It hasn't been for years. But, in the last few years, it has been. NATO is extremely important to us, I happen to believe, and most generals are virtually internationalists, because we spend a lot of time there. But the fact is, I don't think the NATO process is fast enough and decisive enough, and all it does is convolute the problem.

Clearly, I think, European members will be involved with action against Iraq. I don't think it will be NATO. But European nations, in the final analysis, will be involved with us, in addition to the United Kingdom—I believe others will.

Senator WARNER. Thank you, Mr. Chairman.

Chairman LEVIN. Senator Dayton.

Senator DAYTON. Thank you, Mr. Chairman.

I wanted to ask a question regarding the resolution that's been sent to us and contrasting that with the resolution that was passed by Congress authorizing what became the Gulf War. I was not aware until just a few moments ago that the author of that resolution is present here, but it fits the basis of my question, because I'm struck by what I consider to be the wisdom of that resolution and its difference from the one that we received last week. The President is requesting, in this instance, very broad authority, which—I guess you have the copy in front of you, and I have that for the record—and I'll just say, parenthetically, Mr. Chairman, I'm not a historian, but I've been surprised to discover that in the last 50 years, Congress has stopped declaring war, that we now pre-approve these resolutions authorizing use of military force on some

restrained or unrestrained basis and sort of e-mail them down to the Executive Branch. I don't quite understand what the basis of that is, because the Constitution very clearly gives Congress, and Congress alone, the responsibility and the authority to declare war. But I'll leave that aside.

But it does, I think, give special weight to these resolutions, because that's really become what Congress does, and then the Executive Branch is tasked with making the very momentous decisions of how to exercise that authority.

But in the case of the Gulf War, the resolution required that the President, when he made a determination that military force is necessary, before exercising that authority, should provide to the Speaker of the House, the President pro tempore of the Senate—in other words, Congress—his determination that the United States has used all appropriate diplomatic and other peaceful means to obtain compliance by Iraq with the United Nations Security Council resolutions cited in Subsection A, and, two, that those efforts have not been and would not be successful in obtaining such compliance.

I guess my question, gentlemen, is, in terms—the President understandably wants to be unrestrained in terms of preparing for military action if and when he determines that that is necessary. This resolution will clearly give him that authority. Are these kinds of conditions applied? How do they impact the military planning, the buildup, the preparedness? Are the kind of conditions that the 1991 resolution attached—do those constraint, or do those prevent the military planning and preparedness and buildup, or not?

I'd give each of you a turn and ask—

General SHALIKASHVILI. Very briefly. I feel very uncomfortable making judgments on this resolution having glanced at it for 5 minutes. These are issues that need to be debated by lawyers, by senators, by your staffs—

Senator DAYTON. I'm really asking more in terms of the 1991 resolution.

General SHALIKASHVILI. To the best of my understanding, I do not see how a difference between that resolution in 1991 and this one here, that somehow that resolution in 1991 unduly constrained the military planning or that this one is necessary to do the necessary planning to be able to do military operations against Iraq.

I think the issue here is—and, again, I apologize to you, because I ought to know better than comment on as important a document as this after two glances at it. What seems to be the issue is not whether you can plan against Iraq, but whether it gives the President authority to go much beyond Iraq, should circumstances arise. Again, constitutional lawyers have to answer whether the President has that authority anyway, once he's involved in military operations in the region and something unexpected arises. But I'm way beyond my competence on this issue.

Senator DAYTON. Thank you.

General Clark and others?

General CLARK. It is a matter for Congress to determine. I would hope that before we would use force, as authorized here, we would have exhausted all other means. If there's a way of incorporating

that in the resolution, I think it makes the resolution stronger, not weaker.

Senator DAYTON. Does it impair the military planning and preparedness?

General CLARK. Not in the language that you just read. I do think that, of course, the President, as the Commander in Chief, always has the right to self defense from whatever that threat may come from. But the more the planning is narrowed and the more the focus of the operation is made clear and circumscribed, the greater the ability of the United States Government to win support for that operation and to offset the countervailing propaganda that will come out against our aims and purposes in the region. So I think it's in our own self interest to have a very tightly focused, tightly worded resolution authorizing the operation.

Senator DAYTON. Thank you.

General Hoar.

General HOAR. Yes, sir. As I said a moment ago, I'm not in favor of one that is quite so broad. I would be much more comfortable with the 1991 resolution, for all the reasons that my colleagues point out. I would point out to you that the military is not encumbered now in planning for this operation. It's in the open press all the time. They're going apace to make sure that when the President has the authority and he tells them to execute, they'll be able to do it.

Senator DAYTON. Thank you.

General MCINERNEY. Sir, I had read it, because, as a FOX news military analyst, I was prepared to comment on the news on it, so that's why I had a little advantage over General Shalikashvili, but not over General Clark, of course. [Laughter.]

The reason I feel it's important is—in its broadness—we want to send a signal that there is trust between this august body and this administration, and everybody knows it. You have many ways to prevent an administration from moving out and doing things. There's no doubt about it. But if you water this down, you are going to send a signal out to al Qaeda—you may not want to, but you're going to send it—you're going to send it to Saddam and say, "Well, we don't quite trust him. There's a little waffling. We're not serious." Okay? I mean, he puts us into the club that I call—

Senator DAYTON. Wait, wait, General, let me ask—without having it in front of you, but would the language I recited in the 1991 resolution, would you consider that watering it down?

General MCINERNEY. Since I didn't read that in great detail—I heard what you said, but I read this in detail, because, as I said, I was going to be quizzed on it on the air. So I'm very comfortable with this broad language. I would have been more comfortable if the language that you put out a year ago against Afghanistan would have been broader. The President and any administration's people always come back to you. You control the purse strings.

The signal you want to send, Senator, is, "This nation is united." You want to send that to the U.N., because I happen to believe—which is different than General Clark—this strong signal, Mr. Chairman, will ensure that we have a better chance of getting it through the U.N.

Senator DAYTON. Thank you, Mr. Chairman. My time is expired. Thank you, gentlemen.

Chairman LEVIN. Thank you.

Senator Nelson.

Senator BILL NELSON. Thank you, Mr. Chairman. Thank you to each of you for your service to our Nation, in uniform and as you continue to perform service to our Nation. Thank you very much.

The way that our Armed Forces are currently structured and as we approach the task of defeating Iraq in the near term, are we going to be, at the same time, able to sustain the global war against terrorism? What's your opinion on that? General Hoar?

General HOAR. My view, of course, is that the global war on terrorism will only be won through the close coordination with our friends in Europe and, indeed, in the whole Muslim world, because integrated intelligence from all sources, police work as a cooperative effort, law enforcement working with other friendly countries, and certainly the ability to shut down finances are critical to our success at the end of the day. But we have to have that kind of support for the some 90 countries that are working actively with us today. I should point out to you that the recent successes in Pakistan and Morocco and Yemen, as well as Europe, are a good example of that cooperation.

Senator BILL NELSON. So when the moms and dads come up to me at home and say, "How can we do a war in Iraq and, at the same time, go against all the other bad guys?" you don't have any heartburn on this?

General HOAR. I do indeed, sir. I think that the war against al Qaeda is the first priority. My colleague says we can have more than one priority, and I agree with that, but when it's your first priority, you don't do anything that impairs your ability to execute the first priority.

We have a lot of people around the world in those 90 countries that don't agree with the way the United States conducts foreign policy or their military policy, and those countries have constituencies they must respond to. In my judgment, we need to do the al Qaeda thing first.

General MCINERNEY. Senator, here is my difference, and I want to make it clear. I believe in this coalition. I believe in the 90, but I don't want 5 or 10 or 20 to determine what we do. We are the target. Let's go back. We are the target, and they are coming after us, and there must be a sense of urgency. So that's why I can assure you on the air side, the B-2s aren't flying against al Qaeda right now, the B-52s aren't, the B-1s aren't. It's a small effort with ground forces. The Third Armored Division is not committed. The third corps is not committed. There are a lot of forces that aren't. I think there's an important role for the simultaneous nature to be working on these fronts.

We can handle more. The campaign against al Qaeda has now been moved mostly back into very good police and special operations work. So that's why when we're talking about this force and the signal we send, the rapidity of this campaign is extremely crucial, because I think it will cut down the number of recruits that go to al Qaeda. When Rome is strong, the provinces are quiet.

Senator BILL NELSON. General Clark, you were about to say something?

General CLARK. I was going to say that I think it depends on how we do it. I think it is clear already that we have engaged this issue. This issue is on the table. Now, if we go in with a strong coalition, if we go in with a U.N. resolution behind us, if we go in with the fullest possible weight of international law and international opinion, then I think it can reinforce what we're doing against al Qaeda, even though there will be some distraction on the part of the commanders and the national leadership who are involved in the campaign. But, on balance, you might get a reinforcement.

I think if it had gone the other way, if we had not gone to the United Nations, if we had decided to iron horse this and go in unilaterally at the outset, I think it would have distracted us from our campaign. How it eventually turns out, I think, is still up in the air right now.

General SHALIKASHVILI. I think that militarily it should be doable to engage both in a war against terrorism and to fight the al Qaeda issue and to go into Iraq, at least that's what I think the thinking of the military leaders in the Pentagon is, to the point that I understand it. I agree with that, although there might be some particular enabling capabilities that would be stretched more than we would like.

But politically, it's different. Politically, how much it would detract from our effort against al Qaeda in the war against terrorism in the broader sense depends very much on how successful we are in building a strong, large coalition, and that, in turn, would be based on how successful we are in getting a United Nations Security Council resolution authorizing the use of force, should inspections prove fruitless.

Senator BILL NELSON. Thank you for that.

General Hoar, you're a former commander of Central Command. Last Thursday in front of this committee Secretary Rumsfeld stirred up a hornets' nest when, in essence, he said—this is the essence of his message; I'm not quoting him directly—that he wants to move Central Command into the Central Command AOR. We've had it outside of the area of the Central Command for some period of time, even going back to the Gulf War, for a specific reason. I would be very curious to hear your comments, please.

General HOAR. Yes, sir. I've been directly associated with Central Command since 1988 when I went down, first, as Norman Schwarzkopf's chief of staff, and this has been a subject that has been discussed perennially. I think that Norm Schwarzkopf amply demonstrated the ability to go forward and set up and operate on relatively short notice, if there was a requirement.

The truth of the matter is that the availability of information is such that you could do it from Tampa. But any commander that is worth his salt wants to be out on the ground talking to the sergeants, corporals, lieutenants, and captains that are flying the airplanes and doing the work out on the ground and going out to the ships to see what's happening out there. So if there is going to be a campaign, the theater commander ought to be in the theater, and it appears to me that the first steps have been taken for that. The ability to put a couple of thousand people with their families, cars,

cats, and dogs, and all of the other things that it would take to make that a permanent headquarters someplace in the region, is another issue. While I'm not absolutely familiar with this issue today, I would say that I would go very slowly on that one. But clearly it can be done on very short notice if the Secretary of Defense and the Commander in Chief decide that's the best way to do it.

Senator BILL NELSON. Your colleague, General Zinni, agrees with you. Here's a quote from General Zinni: "It would be a magnet for people who want to kill Americans overseas," with regard to a large permanent headquarters. The temporary headquarters—which is already underway, by the way—they've moved 600 folks over to Qatar right now.

Mr. Chairman, I have one further question, but the blue slip came.

Chairman LEVIN. Is it a brief question to one of our witnesses, or a long question to all four of them?

Senator BILL NELSON. It's a brief question, but I'm entirely happy to wait, if you'd like.

Chairman LEVIN. Everyone's been going over a little bit. No reason why you shouldn't if you have one quick question. Try to limit it to one of our witnesses, if you could.

Senator BILL NELSON. The Scott Speicher family is from Jacksonville, and I have been in the middle of this. Now we have a defector that said that he drove him to the hospital. Even the Defense Department has said that they've moved his position from killed in action to missing in action. There's even some that are talking about changing his status to prisoner of war.

You can't plan a war around a prisoner of war, but what advice would you give to the senator who represents the family, as we approach this Iraq campaign? It's a tough one.

General SHALIKASHVILI. Since none of my colleagues are volunteering, let me give it a stab, because certainly the Speicher case was something that was very much on the table when I was chairman.

We started out, at the time, when the Department of the Navy had declared him as killed in action, and the first thoughts were surfacing that maybe that was not the correct step. So lots of discussion occurred whether we should send a mission in to verify or not.

I come down at it, at this point, very simply. If there is the slightest question whether one of our people could possibly still be alive, then we need to do everything we can to verify that and, if at all possible, obviously, gain his release.

I do not think that this is in conflict at all with perhaps having to conduct combat operations against Iraq. We have found ourselves very often in the past having prisoners of war in the hands of our potential enemy when we entered into combat operations, but there are an awful lot of channels, from the international Red Cross to friends, that could help. Certainly the Russians, with their relationship now with Iraq, all of that ought to be put—if it isn't already—on full-court press to try to resolve that issue. After all, there's a family involved and a wife involved and children involved



and parents and so on. So we owe it to one of our own now that there is a suspicion that he might be alive.

Senator BILL NELSON. Thank you.

Thank you, Mr. Chairman.

Chairman LEVIN. Thank you. Let's just take 2 minutes each on this next round. We're going to have a 2-minute round, if that's agreeable with my ranking member, just for the second round here.

If we put a major effort, as a number of you have suggested, at the U.N. to get a resolution which sets out an ultimatum, deadlines for unconditional inspections and disarmament backed up by an authorization by the U.N. to its member nations to use force to implement that resolution if that is not complied with, assuming that major effort is made and we get that kind of a resolution, is it your judgment that that would provide the best chance, although it may not be a great chance, but the best chance of obtaining Saddam's capitulation or compliance with unconditional inspections? Better than our going in unilaterally, for instance, with the military mission of regime change?

Let me start with General Clark or General Shalikashvili.

General CLARK. I think if we put that major effort in at the United Nations, that's the important next step. We still have the option of going in unilaterally after that for some reason. But I think what we want to create is an all around pressure on Saddam Hussein so he knows he has no alternative.

I would follow up that kind of a U.N. resolution with an intrusive inspection process with a force that was stationed there ready to intervene with specific redlines and so forth to be able to put the complete pressure on. Ultimately it may take a U.S. force going in, but how we do it is as important as the fact of our doing it.

General SHALIKASHVILI. I feel very strongly that a properly worded United Nations Security Council resolution would be a powerful tool to help us do what we want to do, which is to disarm Iraq of its weapons of mass destruction. So I think, yes, I do also believe that a properly worded resolution coming from this body is a very important tool to help us get the job done at the United Nations.

Chairman LEVIN. Thank you. My time is up. I'm not going to ask the other two. We're going to stick to the 2-minute rule. We have a vote coming in a few minutes.

Senator Sessions.

Senator SESSIONS. Thank you, Mr. Chairman.

I do think that the resolution that we passed needs to be strong and give the President substantial power to comprehensively deal with this problem. If we constrain the resolution, that will constrain his ability to negotiate with the U.N., who are going to also negotiate a resolution, wouldn't you say, General Clark?

General CLARK. I would say that if you constrain it the wrong way, you undercut the President and our purpose there, yes. I think you need a strong resolution. I think you need a prompt resolution. I think you need a resolution that gets the very highest number of votes from this body.

That having been said, I think you want a resolution also that makes it unambiguous what our purpose is and that doesn't invite other objections that are extraneous to our purpose. So I think you have to get the balance right.

Senator SESSIONS. Well, I agree. I think this resolution would do that. I'm willing to listen to debate on it and see if we can improve it, but I am not unhappy with the resolution, as it's presently being proposed.

I would agree with you—all of you—on your concern about a new Iraq. General McInerney, I think a liberation of Iraq is exactly what we're doing. The French helped us liberate against Great Britain—England at the time. So I think it's a legitimate moral thing for us to do, and we do have an obligation to try to do what we can to help put together a government, which it seems we have been really very successful in doing in Afghanistan. It's an extraordinarily difficult country, would you not agree?

There has been some discussion about this, I know, with the Defense Department. Assistant Secretary Wolfowitz was quoted in *The New York Times* magazine this weekend in a feature on him, on how important he thought it was.

I see great potential for good, not just for the children of Iraq who will no longer be facing an embargo that makes life difficult for them, but for the entire region. Would you comment on the positives that could come out of a liberated Iraq?

General MCINERNEY. I think they're enormous. I think it is the linchpin of our whole strategy in the Middle East. A year after that, Iran will get rid of the mullahs. They're trying to do that now. This signal that we send, and the jubilation that you see in Baghdad, similar to Kabul, will change the whole tenor of the world. The sum of all your fears will disappear. I assure you. I get this from the Iraqi people that I'm talking to.

Now, there are some that will say, well, some are good, some are bad. The fact is, at least there's a communication. I'm tremendously impressed with the Iraqi people. I have not seen any country that doesn't flourish in a democracy. There's something about freedom, when they know that they flourish. I think that, as difficult as Bosnia was, the positives of that are there. So I'm very optimistic, and then I think that the signal goes out very clearly that this Nation is going to combat terrorists wherever they are. I think you'll see things in Palestine change very quickly.

Senator SESSIONS. Well, I hope the U.N. will get with us. Thank you, Mr. Chairman.

Chairman LEVIN. Thank you so much.

Senator CLELAND.

Senator CLELAND. Thank you very much. May I just say that one of the people that I have learned a great deal from—he's now deceased—is Colonel Harry Summers, who was the leading analyst of the Vietnam War. He wrote an excellent book on strategy of the Vietnam War in context. He looked at all the basic principles of war that Clausewitz articulated in the 19th century. Colonel Summers said, "The first principle of war is the principle of the objective. It is the first principle because all else flows from it."

That's my question of you. What is the objective? Is the objective a regime of inspections that leads to disarmament, at which point we probably have a chance to get more of our allies onboard, probably have a good chance to get a Security Council resolution that stiffens our hand in that objective? Or is the objective regime change against a regime defender, a regime survivor that possesses

biological and chemical weapons, and, when his regime is threatened, may, indeed, use them on us, may, indeed, fire a SCUD or two on Israel, and now we know Israel will attack? Does that unleash the dogs of war in the Middle East? Who knows? What is the objective here?

We know today that the Third Infantry Division down at Fort Stewart, Georgia, with thousands of young families, is going to be the point coming out of Kuwait into Southern Iraq in terms of the attack. What am I going to tell those young families is the objective of the use of force in Iraq?

General Shalikashvili.

General SHALIKASHVILI. Well, the fact that you ask the question, I think, is an indication that, at least to your satisfaction, the administration has not been clear on that. Whether that, in their own minds, is clear or not, I don't know.

To me, almost from the beginning the objective has been to eliminate weapons of mass destruction in Iraq and the ability of Iraq to produce more of those. Unfortunately, we've had as many people talk on Iraq and what our objective is and what it isn't as there are people who like to talk. So the issue became confused.

But I say this in all due respect to the administration. The administration doesn't control all the voices that speak on that. So it is very likely that those administration officials who come and testify before you are very clear on what the objective is. I can only tell you what I believe the objective ought to be and what I think, from the very beginning, it was.

Senator CLELAND. Thank you, sir.

General Clark.

General CLARK. I think the objective is the enforcement of the U.N. resolutions and the disarmament, or at least his giving up the weapons and the capabilities for mass destruction.

On the other hand, I think there is a problem that the administration and some of its proponents bring up, and that is as long as he attempts to acquire weapons of mass destruction—even if the inspections showed he had none—he would still be a threat of acquiring them.

So I think we're put in a difficult position. So it's not going to be possible to cut a deal and say, "If you pass an inspection, we'll forget about you as a problem." So I think what we're committing ourselves to by going after the weapons of mass destruction and by saying that we want intrusive inspections to do this, is an indefinite regime of intrusive inspections, with the burden of proof on Saddam Hussein to prove a change of intent, rather than a simple, "We'll check. If we don't see anything, okay, you're free to continue on."

So I think it's a very high standard, but I think it is ultimately a disarmament.

Senator CLELAND. Thank you, General Clark.

General Hoar.

General HOAR. Yes, sir. I think that the Secretary of State had it right when he described disarmament as the objective. However, unless I've misunderstood, I believe that the Vice President of the United States said regime change. So I think that there is disconnect.

But I would say that in my experience, when I was on active duty and immediately thereafter, since the Gulf War, regime change has always been the objective. In my judgment, we were always prepared to move the goal posts if we had to. When some colleagues and I, working with the Israeli government, were looking for a way to bring Iraq into the multinational track on the peace process, we were given a wave-off by people in the government and told to stop.

Senator CLELAND. Do you have any idea why President Bush, in 1991, didn't pursue a regime change?

General HOAR. I'd rather not speculate on that. I would say that adequate plans were not developed to make sure that it happened.

General MCINERNEY. Sir, I think the objectives are regime change and to liberate the people of Iraq and eliminate the weapons of mass destruction.

Senator CLELAND. Thank you all.

Thank you, Mr. Chairman.

Chairman LEVIN. Thank you.

Senator Warner.

Senator WARNER. I say to my good friend from Georgia, if you would look at the 1991 resolution, it gives authorization to use United States Armed Forces pursuant to the United Nations Security Council resolution. That resolution wasn't explicit in the authority. That's why I do not want to see the resolution that's before Congress by the President today weakened.

General Clark, you and I are good friends. We can always debate a little bit. When you said, "I'd want as many votes as possible," with all due respect, sir, I don't want to see us reach the lowest common denominator and present a resolution that doesn't have all the teeth that are in this one. I'd rather have, again, a five-vote margin with a strong resolution that this Congress will fall in behind as we march forward to the U.N. under the McNerney doctrine. That was fairly clear.

My question is as follows to each of you. I sit here and listen to this, "Well, let's get the U.N. to have an intrusive inspection regime." I don't know what scrap of evidence is before us that Saddam Hussein is going to accept it, and, indeed, he made pronouncements to the contrary of recent. But then "backed up by force." Question, specifically, what is the composition of that force? Who puts it together? Who leads it? Is NATO a candidate, General Clark?

Second, when they start kicking down doors and finding the very evidence which confirms the indictment of the world against him, is Saddam Hussein going to sit there twiddling his thumbs, and the Republican Guards with their hand in their pocket while this force roams around and finds the hidden weapons of mass destruction?

What's the composition of the force? What nations are represented? Who leads it?

General Shalikashvili, would you lead off on this?

General SHALIKASHVILI. You put me in a tough spot, because I never advocated——

Senator WARNER. That's the second time today I've done it.

General SHALIKASHVILI. Yes. Because I never advocated that step that you are now addressing about being “backed up by force.”

Senator WARNER. Well, it’s talked about in all of the—you’ve read about it a good deal.

General SHALIKASHVILI. My view is we need to have a strong resolution that permits unfettered inspections. If those inspections do not produce the results that we want, which most likely they will not, it has to authorize the use of force to achieve the aim, which, in my judgment, is the disarmament of Iraq.

Senator WARNER. General Clark.

General CLARK. The purpose of going through the inspections up front is to build legitimacy that way for what you want to do. The force that would enforce it is the same force that’s going to go in there and disarm him and do worse. I would hope that NATO would be involved in that.

But, we’ve been talking all afternoon about how to muster the diplomatic leverage to be able to get the job done with the greatest power and the greatest coalition and reduce the ancillary risks, and so I think that there is a step beyond simply sending Hans Blix back in there with a hundred inspectors to drive around that the United Nations could authorize up front that would give us greater coercive leverage against Saddam Hussein.

The closer we get to the use of force, the greater the likelihood that we’re going to see movement on the part of Iraq, even though it’s a very small likelihood. The more we build up the inspections idea, the greater the legitimacy of the United States’ effort in the eyes of the world. So unless there’s information that we’re not being presented that says we have to take this action right now to go in and disrupt Saddam Hussein—we can’t wait a week, we can’t wait four weeks, or whatever—then it seems to me that we should use the time available to build up our legitimacy. That’s why I’m advocating intrusive inspections.

Senator WARNER. Thank you.

General Hoar.

General HOAR. Sir, I agree with my colleagues. I would just point out that your questions about who’s going to lead this force and how big they are and what they’re going to do, I think, has an obvious answer. When you think through that, with a country that may not have the greatest armed forces in the world, but they’re certainly capable of dealing a difficult blow to a relatively small force, I think the purpose of the coalition, of going through the U.N., going through the steps, is that, at the end of the day, we will have a coalition that agrees that we have exhausted all possibilities and it’s time to take action.

Senator WARNER. Nothing in my question suggested that we should do other than what we’re doing now—the President has gone to the U.N., followed up by the Secretary of State trying to get it—but that there’s this fabrication out there that we’re going to go in there with a new type of inspection regime with teeth in it. Well, who are the teeth? I’m not sure that there’s a clear distinction between the teeth that they would have to exercise and the follow-on, which could only take place after there’s a failure of the inspections, when the member nations may use such force as they deem necessary to protect their security rights.

General McInerney.

General MCINERNEY. Senator, I would like to do all those things that General Clark said. But the fact is, Saddam has already responded. Saddam has already sent us back a letter that he will not let us do anything that violates sovereignty. Well, kicking someone's door down going in violates sovereignty. Now we can go through that process.

The point is, in the final analysis, he's not going to do it. Maybe I've gotten too pragmatic about it, but we've watched him for a long time, and the only thing he understands and will take action on is force. That, again, is why it's so important that this body come forward with a very strong resolution—and I agree with you, we're better to have a strong resolution with four votes on it, on a majority, rather than a weak resolution, because we send the wrong signal to the world.

Senator WARNER. I agree. Cooperation is the key to any inspection regime. I haven't seen a fragment of that cooperation yet.

Chairman LEVIN. Thank you, Senator Warner.

Senator Dayton.

Senator DAYTON. Thank you, Mr. Chairman.

In June of this year, at West Point, the President articulated what some view as a new doctrine on the right to preemptive warfare. For some of you, this situation is perhaps the first instance of that. Some advocates would say that in the post-September 11 environment, that's an unavoidable military option, and others say it would be an unprecedented step with seismic consequences, in terms of future situations of this type in the future.

Could you try to pierce the veil of the future and the world situation? Do you think of this as a specific instance that would not have a broader consequence? Or do you think that this would be an instance, if it's viewed as a preemptive attack, where it would be destabilizing in future confrontations?

Any or all of you.

General SHALIKASHVILI. I think words matter. In this particular case, I think it is advantageous to build your case on the fact that Saddam Hussein has violated a series of United Nations resolutions and that he has particularly not allowed the inspection regime that would lead to a disarmament of Iraq. I say that because to take it the other way sets up a precedent that we might not wish to have out there on the street unless it's absolutely necessary. I'm not sure that, in this case, it's absolutely necessary to build our case on this.

I clearly am concerned about this becoming a precedent-setting event, and what do we then say to Pakistan or India, who feel threatened, one by the other, long in advance of that other country, in fact, having taken an action? There are other cases where this could come and so destabilize the system that we want to keep stable.

I recognize that, in some cases, it might be unavoidable to use that as the cause for our actions. I think, so far, in our discussion in the United Nations and in this resolution before you, that kind of rationale has not been used, and I'm actually happy that that rationale has not been used in that kind of context.

Senator DAYTON. Mr. Chairman, my time has expired, but could the other three have a chance to respond, if time permits?

Chairman LEVIN. Yes, take one quick minute, if you would.

General CLARK. I'd prefer to go after Saddam Hussein as we're proceeding with the facts at hand. I am concerned about enunciating a doctrine of preemption, especially the pronouncement that it replaces deterrence and what the implications will be for that. I think it's far better to work through on the English case-law basis for changes in law than by trying to make sweeping pronouncements like this.

In fact, we're proceeding pretty well on the basis of what we had without calling this an instance of preemption. In all of the other discussions we've had within the government, over my experience—and there have been many of them where we've talked about preemption—we've talked in terms of going after specific facilities or specific capabilities. We've never talked about preemptively taking down a regime and changing a government, and I think that's a crucial distinction in this case.

You also have the problem in preemption of what is the imminence of the threat. Here, as we've discussed this afternoon, it's indeterminate what the imminence of the threat is. The most conclusive argument is that you can't trust the intelligence anymore to give you any idea of what the imminence of the threat is. That leads to a series of steps that we don't want to pursue here in our country.

So I'm comfortable with where we are moving on Iraq, but I don't see the need for bringing in this doctrine to it at this point.

General HOAR. Sir, very briefly, I think that Iraq is not in compliance with U.N. Security Council resolutions, and that should be ample reason, if we need a reason, to go forward. I share with General Shalikashvili the concern of the message that this sends to other countries, particularly the example that he used between India and Pakistan, but there are others, as well.

Thank you.

General MCINERNEY. Sir, I happen to believe in the preemption policy. I don't think it's required in this particular instance. I think deterrence, when you have terrorism—weapons of mass destruction have changed the calculus in terrorist states. They have changed the calculus. So the President must make those decisions at the appropriate time, not required in this, because there's 16 U.N. resolutions that he's violated. But almost daily he fires on our airplanes and coalition airplanes, which is an act of war. Anytime you fire on a nation's airplanes it's an act of war. So there is ample evidence for us to respond, and he continues to defy us because we continue to accept it.

Senator DAYTON. Thank you, Mr. Chairman.

Chairman LEVIN. Let me thank each of our witnesses. Some of you have come some distance. Others have made time available in their schedule. In all cases, your schedules are heavy, for good reason, because of the experience that you bring to this issue and to a whole lot of other issues that you address.

Saddam is clearly a problem and a threat to the region and to the world. I would just hope that the actions of this country would be focused on uniting the world to force compliance with disar-

mament in Iraq. Uniting the world, it seems to me, has great pluses, both in terms of more quickly achieving our goals militarily, should they be necessary, and also avoiding some of the risks which are incumbent if we're either proceeding unilaterally or being perceived as proceeding unilaterally.

There may be some additional comments or questions that we would like from you for the record, in which case we will get to you within the next 48 hours.

Again, our thanks to all of you, and we will stand adjourned.

[Whereupon, at 5:42 p.m., the committee adjourned.]





## U.S. POLICY ON IRAQ

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WEDNESDAY, SEPTEMBER 25, 2002

U.S. SENATE,  
COMMITTEE ON ARMED SERVICES,  
*Washington, DC.*

The committee met, pursuant to notice, at 9:44 a.m. in room SH-216, Hart Senate Office Building, Senator Carl Levin (chairman) presiding.

Committee members present: Senators Levin, Kennedy, Lieberman, Cleland, Akaka, Bill Nelson, E. Benjamin Nelson, Warner, Inhofe, Allard, Hutchinson, Sessions, and Collins.

Committee staff member present: David S. Lyles, staff director.

Majority staff members present: Richard D. DeBobes, counsel; Evelyn N. Farkas, professional staff member; Richard W. Fieldhouse, professional staff member; Maren Leed, professional staff member; and Peter K. Levine, general counsel.

Minority staff members present: Judith A. Ansley, Republican staff director; Charles W. Alsup, professional staff member; L. David Cherington, minority counsel; Edward H. Edens IV, professional staff member; Brian R. Green, professional staff member; Carolyn M. Hanna, professional staff member; Patricia L. Lewis, professional staff member; Thomas L. MacKenzie, professional staff member; Joseph T. Sixeas, professional staff member; and Scott W. Stucky, minority counsel.

Staff assistants present: Leah C. Brewer, Daniel K. Goldsmith, and Andrew Kent.

Committee members' assistants present: Brady King, assistant to Senator Kennedy; Marshall A. Hevron, assistant to Senator Landrieu; Elizabeth King, assistant to Senator Reed; Davelyn Noelani Kalipi and Richard Kessler, assistants to Senator Akaka; Peter A. Contostavlos and Eric Pierce, assistants to Senator Ben Nelson; William Todd Houchins, assistant to Senator Dayton; Benjamin L. Cassidy, assistant to Senator Warner; John A. Bonsell, assistant to Senator Inhofe; Robert Alan McCurry, assistant to Senator Roberts; Douglas Flanders, assistant to Senator Allard; James P. Dohoney, Jr., assistant to Senator Hutchinson; Arch Galloway II, assistant to Senator Sessions; Kristine Fauser, assistant to Senator Collins; and Derek Maurer, assistant to Senator Bunning.

### OPENING STATEMENT OF SENATOR CARL LEVIN, CHAIRMAN

Chairman LEVIN. Good afternoon, everybody. Senator Warner is a few minutes away, but his staff says that he has no objection to our beginning.

The Armed Services Committee meets this morning for the fourth of our series of hearings on U.S. policy toward Iraq. We welcome back to the committee Dr. James Schlesinger, former Secretary of Defense, Secretary of Energy, and Director of Central Intelligence; and Samuel Berger, former Assistant to the President for National Security Affairs.

In their previous positions, our witnesses provided advice to the presidents that they served regarding the use of military force to further U.S. national security interests. They helped shape a national security strategy based on these interests and advised the presidents on its implementation. Over the years, Dr. Schlesinger and Mr. Berger have also provided advice to this committee on Iraq and on many other issues.

Two days ago, three of the four former senior military commanders who testified before the committee offered a strong endorsement of the need for a multilateral approach to dealing with Iraq. They stressed that working with the U.N. to achieve a resolution regarding inspections and disarmament backed up by the threat of the use of force by member states to compel compliance would bring great political and military advantages.

General John Shalikashvili, the former Chairman of the Joint Chiefs of Staff, told the committee that, "a U.N. resolution authorizing the use of force would," in his words, "be a very powerful tool." He went on to say that, "we need to impress upon Saddam Hussein that he's not just facing the United States, but that he's facing the will of the majority of the world. We must also ensure that we have made it possible for as many of our friends and allies to join us, some of whom believe very deeply that you should go to war only unless you are directly attacked or with the sanction of the United Nations." He added, "every time we undermine the credibility of the United Nations we are probably hurting ourselves more than anybody else."

The general told us that, "we must, under no circumstances, ever create the impression that the United States is not free to go to war, but that is very different than not trying to achieve the kind of resolution that, in this case, we want. It would make our job easier, it would help us in the future, and it would surely have an impact on how Saddam Hussein reacts to the current resolutions."

General Wesley Clark, former NATO Supreme Allied Commander, Europe, commented that the President had made the right move by going to the U.N., stating that, "the President's strong statement provides leverage to build a new coalition for proceeding on a path of diplomacy backed by force. I think it's the appropriate path." Then he added, "we need to be certain that we are really working through the United Nations in an effort to strengthen the institution in this process, and not simply 'check a block.'" He advocated taking the necessary time to build the strongest coalition possible to plan for a post-conflict Iraq, and then, if necessary, taking military actions with our allies and with the blessing of the United Nations.

General Joseph Hoar, former Commander in Chief of the U.S. Central Command, testified that we should, "take the time to do the tough diplomatic work to gain support in the Security Council for disarmament, and, failing disarmament, then military action."

General Hoar cautioned us to get the timing and the means of going to war right, to consider the military risks, and to plan for what comes next in Iraq after war.

I, too, believe that we should focus on mobilizing the world community to give Saddam Hussein a clear ultimatum to disarm and comply with U.N. Security Council resolutions or face military action by a multinational U.N.-authorized coalition of member states to compel compliance.

I also believe that we should not announce to the world at this time that we will follow a unilateral go-it-alone policy if the U.N. does not act. Telling friends and potential allies at the time that we're seeking their support, but that it's "our way or the highway," will divide the world, not unite it. This doesn't mean giving the U.N. a veto over our actions. No one I know of is willing to do that. But what the multilateral approach does is keep the pressure on the U.N. to act and not let them off the hook by signaling that we want to be the world's police force.

We look to our witnesses today to share with us their views on the administration's policy and to offer their advice on what would be the best possible strategy for dealing with the threat posed by Iraq.

Senator Warner, I know, is going to be here at any minute. I think what I'll do, however, is call on the witnesses at this point because we're going to have some votes in 45 minutes. Then when Senator Warner comes, I would offer him the opportunity of making his opening statement at some point where it's not disruptive of the witnesses' presentation.

After the opening remarks by our witnesses and by Senator Warner, we would then have a 6-minute round of questions following the normal early bird procedure.

Mr. Berger.

**STATEMENT OF HON. SAMUEL R. BERGER, FORMER ASSISTANT TO THE PRESIDENT FOR NATIONAL SECURITY AFFAIRS**

Mr. BERGER. Mr. Chairman, members of the committee, I welcome this opportunity to discuss with you the critical issues of Iraq faced by the United States and the international community. I believe the Iraqi regime does pose a serious potential threat to the stability of a combustible and vital region of the world, and, therefore, to the United States. Doing nothing, in my judgement, is not an acceptable option. The challenge is to do the right thing in the right way, enhancing, not undermining, the stability of the region and the overall security of the United States.

It is important for us to be as sharply focused as we can in an uncertain world about the nature of the threat. We have focused a great deal on Saddam Hussein's capabilities, and properly so, but capability is not the same as threat. That also involves questions of intention and urgency. It is not just the "what," but also the "why" and the "when." Threat is only half the equation for war. It must be balanced against the "how," the cost and risks of proceeding.

First, a few words about the "what" and the "why." We know Saddam Hussein possesses chemical weapons. He has for nearly 20 years, as we know only so well from his use of them against his

own people and the Iranians. He has deadly stockpiles of biological weapons. The possibility that Saddam Hussein will use his biological and chemical weapons to attack us directly or in concert with terrorists cannot be dismissed. We must continually evaluate it in light of available intelligence. However, it would be uncharacteristic for a man who has placed the highest premium on self-preservation. There would be a significant chance of detection followed, quite simply, by his annihilation. It is certainly possible, but perhaps no more so than the possibility that he will use these weapons against our troops or our allies if we attack him.

It is his nuclear weapons capability that concerns me the most. I believe Saddam Hussein's strategic objective was and remains to assert dominance over the Gulf region. We stopped him in 1991. Amazingly, he tested our will again in 1994, moving troops in that direction. We deployed 30,000 U.S. forces to the region, and he pulled back. This region is critical for the United States and the world strategically and economically. I believe that a nuclear Iraq can change its fundamental dynamic, affecting how others behave toward us and toward allies such as Israel and emboldening Saddam Hussein to believe, rightly or wrongly, that he can attack his neighbors and, because of his nuclear capability, we will hesitate.

Hussein maintains an active and aggressive nuclear weapons program. Most analysts believe that for him to develop his own capacity to produce fissile material, nuclear fuel, it will require several years. Acquiring that nuclear fuel abroad could enable him to produce a nuclear weapon in 1 or 2 years, according to Prime Minister Blair's statement on Monday.

He has been seeking such material for many years. So far as we know, there has not yet been any case where significant quantities of weapons-grade fissile material have been diverted. Experts such as the highly respected International Institute for Strategic Studies have concluded that obtaining this material remains a formidable challenge—not impossible, but unlikely.

I emphasize this point not to suggest that the Iraqi nuclear weapons program is not unacceptably dangerous to the United States—indeed, I believe it is—but the trajectory of his nuclear program affects the “when” of the threat equation, whether we have time to proceed in a way that isolates Saddam, builds a broader international coalition, and minimizes, to the extent possible, the risks.

We most likely have the military power to do this virtually alone, but shifting the world's focus back to Saddam's intransigence will give us not only the power to act, but far greater legitimacy if we do so. The extent to which the legitimacy of our actions is recognized and accepted internationally, that we act collectively and not largely alone, is not an abstraction. It greatly reduces the risks of any future military action. Those risks are just as real and serious as the threat. They include inflaming an already volatile region in a way that undermines governments such as Jordan or Musharraf in Pakistan, and, worst case, leaves us with a radical regime in Pakistan with a ready-made nuclear arsenal. This increases the likelihood that a conflict breaks along a dangerous Israeli-Arab fault line, diverting us from the war against a terrorist threat that remains real and virulent at a time when cooperation—military, in-

telligence, and political—is essential, and undercutting burden-sharing in what will certainly be a long, arduous task of maintaining stability in Iraq and rebuilding after Saddam Hussein, something that will not be easy or inexpensive.

That brings me to the essential question of how to go forward. How should we proceed in a way that maximizes our position?

First, I believe we should press forward, as Secretary Powell is doing, for a United Nations Security Council resolution that makes clear that the world, not just the United States and Great Britain, expects compliance by Iraq with its disarmament obligations within a fixed time period. It should make clear that disarmament is Iraq's responsibility, not the inspectors', requiring affirmative cooperation. Any resolution should spell out what "unfettered" means—any site, any time, without notice. It should clear away the cobwebs that encumbered the United Nations Special Commission (UNSCOM), vague notions about Iraqi sovereignty or special sites that provide the Iraqi Government with a pretext for interference.

Yes, there are a string of broken resolutions, but we are in an entirely new circumstance here contemplating a military invasion of Iraq, and the world expects us to test the nonmilitary option before we move to the military one. We also owe that to the men and women who will be risking their lives if we decide to do so.

Unfettered inspections, Mr. Chairman, may not be the path to disarmament, but a serious effort to secure them is the path to isolating Saddam and gaining broader international support for what may be necessary if we fail, and we'd best obtain that legitimacy up front, because if military action is undertaken, we will be in Iraq for a long time.

Second, with such a resolution, I would urge the United Nations Monitoring, Verification, and Inspection Commission (UNMOVIC), the new U.N. inspection organization, to move expeditiously to test Saddam Hussein's intentions with hard sites, not easy ones. What is at question is not whether U.N. inspectors can find the needles in a haystack, but whether, faced with the current situation, the Iraqi Government will cooperate or obstruct.

Third, I hope that, as was done after September 11, the draft congressional resolution submitted by the administration can be sharpened and adopted in a bipartisan fashion.

Finally, Mr. Chairman, we reserve the right to act primarily by ourselves if we have to, but I don't think we are at that point today, and doing so substantially increases the risks that we will wind up with a regime that is less stable—with a region that is less stable rather than more peaceful and democratic. We can proceed in a strategic, methodical manner to put Saddam Hussein in a corner, not us.

Thank you, Mr. Chairman.

[The prepared statement of Mr. Berger follows:]

PREPARED STATEMENT BY HON. SAMUEL R. BERGER

Mr. Chairman, members of the committee: I welcome this opportunity to discuss with you the critical issues of Iraq faced by the United States and the international community.

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right thing, in the right way, enhancing not undermining the stability of the region and the overall security of the United States.

It is important for us to be as sharply focused as we can in an uncertain world about the nature of the threat. We have focused a great deal on Saddam Hussein's *capabilities*, and properly so. But *capability* is not the same thing as *threat*, which also involves questions of *intention* and *urgency*. It is not just the "what," but also the "why" and the "when." *Threat* is only half the equation for *war*. It must be balanced against the "how"—the *costs* and *risks*—of proceeding.

First, a few words about the "what" and the "why." We know Saddam Hussein possesses chemical weapons—he has for nearly 20 years as we know only so well from his use of them against his own people and the Iranians. He has deadly stock-pile of biological weapons.

The possibility that Saddam Hussein will use his biological and chemical weapons to attack us, directly or in concert with terrorists, cannot be dismissed. We must continually evaluate it in light of available intelligence. But it would be uncharacteristic for a man who has placed the highest premium on self-preservation. There would be a significant chance of detection, followed—quite simply—by his annihilation. It is certainly possible, but no more so than the possibility he will use these weapons against our troops or our allies if we attack him.

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Hussein maintains an active and aggressive nuclear weapons program. Most analysts believe that for him to develop his own capacity to produce fissile material—nuclear fuel—will require several years. Acquiring that nuclear fuel abroad—the "wild card"—could enable him to produce a nuclear weapon in 1 or 2 years, according to Prime Minister Blair.

He has been seeking such material for many years. So far as we know, there has not yet been any case where significant quantities of weapons-grade fissile material has been diverted. Experts such as the highly respected International Institute for Strategic Studies have concluded that obtaining this material remains a "formidable" challenge—not impossible but "unlikely."

I emphasize this point not to suggest that the Iraqi nuclear weapons program is not "strategically unacceptably dangerous" to us; indeed, I believe it is. But the trajectory of his nuclear program affects the "when" of the threat equation: whether we have time to proceed in a way that isolates Saddam, builds a broader international coalition and minimizes, to the extent possible, the risks.

We most likely have the *military power* to do this virtually alone. But shifting the world's focus back to Saddam's intransigence will give us not only the power to act but far greater legitimacy if we do so.

The extent to which the legitimacy of our actions is recognized and accepted internationally—that we can act collectively and not largely alone—is not an abstraction. It greatly reduces the risks of any future military action.

Those risks are just as real and serious as the threat. They include:

- Inflaming an already volatile region in a way that undermines governments such as Jordan or Musharraf in Pakistan and—worst case—leave us with a radical regime in Pakistan with a ready-made nuclear arsenal.
- Increasing the likelihood that a conflict breaks along a dangerous Israeli-Arab fault line.
- Diverting us from the war against a terrorist threat that remains real and virulent, at a time when cooperation—military, intelligence, and political—is essential.
- Undercutting burden-sharing in what will certainly be a long, arduous task of maintaining stability in Iraq and rebuilding after Saddam Hussein—something that will not be easy or inexpensive.

This brings me to the essential question: the "how" of going forward.

How should we proceed in a way that maximizes *our* position?

First, I believe we should press forward, as Secretary Powell is doing, for a U.N. Security Council (UNSC) resolution that makes clear that the *world*—not just the *U.S. and Britain*—expects compliance by Iraq with its disarmament obligations

within a fixed time period. It should make clear that disarmament is Iraq's responsibility, not the inspectors—requiring affirmative cooperation. Any resolution should spell out what “unfettered” means—any site, any time without notice. It should clear away the cobwebs that encumbered UNSCOM—vague notions about Iraqi sovereignty or special sites that provide the Iraqi government with a pretext for interference.

Yes, there are a string of broken resolutions. But we are in an entirely new circumstance—contemplating a military invasion of Iraq—and the world expects us to test the non-military option before we move to a military one. We also owe that to the men and women who will be risking their lives if we decide to do so.

Unfettered inspections may not be the path to disarmament. But a serious effort to secure them is the path to isolating Saddam and gaining broader international support for what may be necessary if they fail. We better obtain that legitimacy up front, because if military action is undertaken, we will be in Iraq for a long time.

Second, with such a resolution, I would urge UNMOVIC to move expeditiously to test Saddam Hussein's intentions, with hard sites not easy ones. What is in question is not whether UN inspectors can find the needles in the haystack, but whether—faced with the current situation—the Iraqi government will cooperate or obstruct.

Third, I hope that, as was done after September 11, the draft congressional resolution submitted by the administration can be sharpened and adopted in a bipartisan fashion.

Finally, Mr. Chairman, we reserve the right to act primarily by ourselves if we have to. But I don't think we are at that point today and doing so substantially increases the risks that we will wind up with a region that is less stable, rather than more peaceful and democratic. We can proceed in a strategic, methodical manner to put Saddam Hussein in a corner, not us.

Chairman LEVIN. Thank you, Mr. Berger.  
Dr. Schlesinger, welcome.

**STATEMENT OF DR. JAMES R. SCHLESINGER, FORMER SECRETARY OF DEFENSE, SECRETARY OF ENERGY, AND DIRECTOR OF CENTRAL INTELLIGENCE**

Dr. SCHLESINGER. Thank you, Mr. Chairman.

Mr. Chairman, members of the committee, I thank the committee for its invitation to appear before you today to discuss the question of United States policy toward Iraq.

Mr. Chairman, as the President has stated, this is a test of whether the United Nations, in the face of perennial defiance by Saddam Hussein of its resolutions and, indeed, of his own promises will, like the League of Nations over half a century ago, turn out to be simply another institution given to talk.

For more than 11 years since the end of the Gulf War, the record is replete with U.N. resolutions condemning Iraq for “serious violations,” “continued violations,” and “flagrant violations.” For that entire period, Saddam Hussein has regularly and successfully played the game of defiance.

In 1998, Congress passed the Iraq Liberation Act approving the use of force to bring Saddam Hussein into compliance. Shortly thereafter, the Secretary General reached agreement with Saddam Hussein in a memorandum of understanding that promised, “immediate, unconditional, and unrestricted access.” Failure to do so would result in, “the severest consequences.” Some months later, Saddam Hussein excluded American inspectors and, by October, had ceased cooperation with U.N. inspectors entirely.

In September 2002, recognizing the growing pressure stemming from the United States, Saddam Hussein has once again informed the United Nations that he is willing to “allow unconditional return of the inspectors.” His intention, quite obviously, is, again, to repeat that all-too-familiar cycle. I think it is clear, Mr. Chairman,



in light of our previous experience, that we should observe that old adage, "once burned, twice shy."

Will the United Nations prove as feckless as the League of Nations? Mr. Chairman, in 1935, Mussolini invaded Abyssinia. The League of Nations took note of this challenge to the international order. Day after day, week after week, the League deliberated what to do. The sessions went on endlessly. After each session, there was a press conference. After some weeks, one of the reporters present summarized the situation as follows: "On the surface, very little is happening. But beneath the surface, nothing is happening." [Laughter.]

Today, the United Nations faces a test of whether or not it can act more effectively than did the League. The League failed because its key members wanted it to fail. Endless talk at the League was safe, while action under the League's auspices might have been dangerous.

There are some members of the U.N. who have the same idea today, that talk is safer than action. If there is to be a difference, it will arise from a conviction in the United Nations that the U.S. President and Congress are determined that action will take place, either action by Saddam Hussein to disarm or action under U.N. auspices to disarm him or, if necessary, action outside the U.N. framework.

Mr. Chairman, discussion of this need for action has been muddied up by the issue of preemption. To be sure, the President at West Point used the word "preemption" in connection with the longer term design of U.S. policy. Other officials have from time to time used the phrase in connection with Iraq.

Nonetheless, whatever the merits or the demerits of a policy of preemption in the longer run, it has little to do with Iraq. Preemption implies a surprise attack or preventive war. Surely in the speculations about Iraq, the word "surprise" cannot be employed when one continuously reads about our supposed war plans in the daily newspapers. In the case of Iraq, preemption is limited to the obvious and rather circumscribed meaning that if we are to deal with Iraq, we should do so before Saddam Hussein acquires nuclear weapons in number.

Iraq is a special case. We have been engaged in an ongoing conflict with Iraq since 1990. Vigorous action in the course of an ongoing conflict hardly constitutes preventive war. At this time, U.S. and British aircraft are overflying the northern no-fly zone and the southern no-fly zone. They are overflying some 60 percent of the country. Iraq has been firing anti-aircraft artillery and surface-to-air missiles at our aircraft. Our aircraft have attacked Iraqi air defenses and other targets. Indeed, in recent months, Saddam's air defenses have shot down three of our Predator aircraft. Moreover, the United States has established a virtual protectorate for the Kurds who live in Northern Iraq. Surely we can acknowledge that in these conditions of ongoing and continued conflict, the word "preemption" does not really apply. Iraq, whatever the merits or demerits of preemption for long-run policy, remains a special case.

In an ongoing conflict, the issue of preemption appears to be close to meaningless. Indeed, historically we have regarded preemption as permissible, even in the far more difficult case of the

formerly neutral. In July 1940, less than a month after the fall of France, Winston Churchill had the British fleet attack the French, Britain's recent ally, at the naval base of Mers-el-Kebir, killing 1,300 French sailors and sinking a number of ships. Others escaped to British harbors, to join the Free French, or to Toulon. More significantly, in November 1942, American troops landed in and occupied French North Africa, then under the control of Vichy France. To be sure, after our troops had entered French North Africa, we did receive an invitation to come in. Thus, as the record suggests, in time of war, restrictions on preemption are loosened.

I have gone into this issue at some length, Mr. Chairman, for I fear that it has generated more heat than light, and needlessly so. We must not allow conceptual disputes to obscure the underlying reality. The United States has been for a decade and is now deeply engaged in the conflict with Iraq. We should like the support of other nations as we approach the decisive moment. Strong backing of the President by Congress will elicit stronger support from other nations at the U.N.

Thank you, Mr. Chairman. I shall be happy to answer any questions that you or other members of the committee may have.

[The prepared statement of Dr. Schlesinger follows:]

PREPARED STATEMENT BY DR. JAMES R. SCHLESINGER

Mr. Chairman, members of the committee:

I thank the committee for its invitation to appear before you today to discuss the question of United States policy towards Iraq. The issue before you is more than a test of the United Nations, it is equally a test of the unity and resolve of the American government. The greater the degree to which the President and Congress are united in purpose with respect to Iraq, the greater is the likelihood that the United Nations will take a firm and appropriate stand towards Iraq.

Mr. Chairman, as the President has stated, this is a test of whether the United Nations—in the face of perennial defiance by Saddam Hussein of its resolutions and, indeed, of his own promises—will, like the League of Nations over half a century ago, turn out to be simply another institution given only to talk. For more than 11 years, since the end of the Gulf War, the record is replete with U.N. resolutions condemning Iraq for “serious violations,” “continued violations,” and “flagrant violations.” For that entire period, Saddam Hussein has regularly and successfully played that game of defiance. In 1998, Congress adopted a strong resolution approving the use of force to bring Saddam Hussein into compliance. Shortly thereafter, the Secretary General reached agreement with Saddam Hussein in a Memorandum of Understanding that promised “immediate, unconditional, and unrestricted access.” Failure to do so would result in “severest consequences.” Some months later, Saddam Hussein excluded American inspectors, and by October had ceased cooperation with U.N. inspectors entirely.

In September of 2002, recognizing the growing pressure stemming from the United States, Saddam Hussein has once again informed the United Nations that he is willing to “allow unconditional return” of the inspectors. His intention, quite obviously, is again to repeat that all too familiar cycle. I think it is clear, Mr. Chairman, in light of our previous experience that we should observe that old adage, “once burned, twice shy!”

Will the United Nations prove as feckless as the League of Nations? Mr. Chairman, in 1935, Mussolini invaded Abyssinia. The League of Nations took note of this challenge to the international order. Day after day, week after week, the League deliberated what to do. These sessions went on endlessly. After each session, there was a press conference. After some weeks, one of the reporters present summarized the situation as follows: “On the surface, very little is happening—but beneath the surface, *nothing* is happening.”

Today the United Nations faces a test whether or not it can act more effectively than did the League. The League failed because its key members wanted it to fail—endless talk at the League was safe, while action under the League's auspices might have been dangerous. There are some members of the U.N. who have the same idea today, that talk is safer than action. If there is to be a difference, it will arise from

a conviction that the U.S. President—and Congress—are determined that action will take place: either action by Saddam Hussein to disarm, or action under U.N. auspices to disarm him, or, if necessary, action outside the U.N. framework.

Mr. Chairman, discussion of this need for action has been muddled up by the issue of “pre-emption.” To be sure, the President at West Point used the word, pre-emption, in connection with the longer-term design of U.S. policy. Other officials have, from time to time, used the phrase in connection with Iraq. Nonetheless, whatever the merits or the demerits of a policy of pre-emption in the longer run, it has little to do with Iraq. Pre-emption implies a surprise attack or preventive war. Surely in the speculations about Iraq, the word surprise cannot be employed when one continuously reads about our supposed war plans in the daily newspapers. In the case of Iraq, pre-emption is limited to the obvious, and rather circumscribed, meaning that, if we are to deal with Iraq, we should do so *before* Saddam Hussein acquires nuclear weapons in number.

Iraq is a special case. We have been engaged in an on-going conflict with Iraq since 1990. Vigorous action in the course of an on-going conflict hardly constitutes preventive war. At this time, U.S. (and British) aircraft are overflying the Northern No-fly zone, and the Southern No-fly zone. They are overflying some 60 percent of the country. Iraq has been firing anti-aircraft artillery and surface-to-air missiles at our aircraft. Our aircraft have attacked Iraqi air defense and other targets. Indeed in recent months, Saddam’s air defense forces have shot down three of our Predator aircraft. Moreover, the United States has established a virtual protectorate for the Kurds who live in Northern Iraq. Surely we can acknowledge that in these conditions of on-going and continued conflict, the word pre-emption does not really apply. Iraq, whatever the merits or demerits of pre-emption for long-run policy, remains a special case.

In an on-going conflict, the issue of pre-emption appears close to meaningless. Indeed, historically, we have regarded pre-emption as permissible even in the far more difficult case of the formally neutral. In July 1940, less than a month after the fall of France, Winston Churchill had the British Fleet attack the French (Britain’s former ally) at the Naval Base of Mers-el-Kebir, killing 1,300 French sailors and sinking a number of ships. Others escaped to British harbors (to join the “Free French”) or to Toulon. More significantly, in November 1942, American troops landed in and occupied French North Africa, then under the control of Vichy France. To be sure, *after* our troops had entered French North Africa, we did receive an invitation to come in. Thus, the record suggests that in time of war restrictions on pre-emption are loosened.

I have gone into this issue at some length, Mr. Chairman. For I fear that it has generated more heat than light—and needlessly so. We must not allow conceptual disputes to obscure the underlying reality. The United States has been for a decade, and is now, deeply engaged in a conflict with Iraq. We should like the support of other nations, as we approach the decisive moment. Strong backing of the President by Congress will likely elicit stronger support from other nations in the U.N.

Thank you, Mr. Chairman. I am happy to answer any questions that you or other members of the committee may have.

Chairman LEVIN. Thank you, Dr. Schlesinger.

Senator Warner, do you have an opening statement?

Senator WARNER. I will withhold and submit my statement for the record.

[The prepared statement of Senator Warner follows:]

#### PREPARED STATEMENT BY SENATOR JOHN WARNER

##### U.S. POLICY ON IRAQ

Thank you, Mr. Chairman. I join you in welcoming these two distinguished public servants before our committee. Both of these gentlemen have served our Nation with great distinction, and continue to do so. I especially want to welcome Dr. Jim Schlesinger back before the committee. In addition to having served as a cabinet-level officer in three different administrations, Dr. Schlesinger has been one of our Nation’s most productive citizens, as a professor, an economist, a leader, and a gifted strategic thinker. I am fortunate to be able to count him as a personal mentor and close friend.

We, as a Nation, are fortunate that these two gentlemen are contributing to this important Iraq debate.

Over the past several weeks, our President has courageously focused world attention on the defiant, illegal conduct of the brutal, ruthless dictator Saddam Hussein.

In 1991, after his defeat in the Gulf War, Saddam Hussein accepted—in writing—U.N. terms for the suspension of military operations and committed to comply with all relevant U.N. Security Council Resolutions, including disarming Iraq of weapons of mass destruction and submitting to intrusive inspections to verify this disarmament. Eleven and a half years later, we are still waiting for Saddam Hussein to comply with international mandates, as reflected in 16 United Nations Security Council Resolutions. The clear message Saddam Hussein has communicated to the world for the past 11 years is that he cannot be trusted, under any circumstances.

Our President is, rightfully, seeking a strong statement of American and international resolve that clearly conveys to Saddam Hussein that he has to comply with U.N. Security Council Resolutions and disarm himself of weapons of mass destruction *now*, or accept the consequences of his actions. Clearly, a resolution from Congress authorizing the use of force and a resolution from the United Nations describing the consequences if he fails to comply will strengthen the hand of the diplomats who are trying to resolve this matter without force. Resorting to the use of force should be the last step, but it is a step we must be willing to take—collectively with the support of the United Nations, but alone, if necessary. It is also a step those who threaten us and those who continually defy international will must clearly understand that we are willing to take, and are authorized to take, quickly and decisively, if necessary.

President Bush has asked Congress for a very strong resolution authorizing the use of force. I support the President on this resolution. We will have a debate in the Senate on this resolution and while we may make minor adjustments to the precise language proposed by the President, it is imperative that the final product clearly shows that the President, Congress, and the American people are united and willing to do whatever is necessary to end this longstanding and growing threat to our national security, as well as regional and international security.

The threat posed to the United States, the region, and the entire world by Saddam Hussein is clear. The Prime Minister of Great Britain, Tony Blair, laid out a compelling case before the House of Commons yesterday: we know Saddam Hussein has weapons of mass destruction; we know he has used these weapons before; and, we know he will use them again, and can do so on as little as 45 minutes notice.

President Bush called these revelations “frightening.” We cannot wait for a future attack before we respond to this frightening and growing danger. Saddam Hussein must be stopped—by military force, if necessary.

Many have reacted as if this is a new crisis with Iraq. It is not a new crisis. It is the continuation of a crisis that Saddam Hussein initiated when he invaded Kuwait in 1990 and attempted to snuff out the existence of an entire nation. This crisis has ebbed and flowed, most recently in 1998 when Saddam Hussein expelled U.N. weapons inspectors. We in Congress all agreed at that time that we must act to end this menace to world peace. We did not solve the problem in 1998, however, and now we must confront it again. Saddam Hussein has had 4 more years to accumulate more of these terrible weapons. It is time to act—forcefully—to end this crisis, once and for all.

Again, thank you for your participation in this process as we prepare for deliberations in the Senate.

Chairman LEVIN. We'll go right to questions, and we'll follow the procedure that I outlined before.

Let me ask both of you a question about the type of U.N. resolution that would be the most constructive. Mr. Berger, can you tell us how you feel the U.N. can act in a way which would be the most effective, have the greatest chance of forcing Saddam's compliance or capitulation without war, that would then use the possibility of force if he does not comply? Could you outline for us what that resolution would contain?

Mr. BERGER. Mr. Chairman, I think that we should seek a resolution which—as I say, in the current context, in the context of the contemplation of military invasion of Iraq, which is not the historical context—strongly reaffirms the commitment of the international community, not just the United States or the British, that Saddam Hussein should be in compliance, particularly with his obligations for weapons of mass destruction, number one.

Number two, it should impose upon him or reaffirm that this is his affirmative obligation. It's not the obligation of inspectors to find; this is the obligation of Saddam Hussein to affirmatively comply.

Number three, in my judgment, it should spell out, to the extent possible, what "unfettered access" means so there's no question that some of the cobwebs that developed around UNSCOM during the late 1990s, of concerns about Iraqi sovereignty and other pretexts for obstruction were not what the United Nations had in mind.

Now, it would be good if, in addition to that, the resolution authorized all necessary means, the magical language that explicitly authorizes military action. I don't think that is necessary. I don't think that's essential. In 1998, we acted pursuant to a Security Council resolution that talked about severest consequences. I think it's the act of the international community affirming in this context the obligation to comply and the rights of the inspectors that, I think, is what gives us the capability to build broader support if there's noncompliance and to act with legitimacy in that event.

Chairman LEVIN. Do you believe that, at this time, we should notify the United Nations and the world that if the United Nations does not act in the way that you've outlined, that we would either keep the option open to act alone or, as an alternative, notify them that we will act on our own if they do not act, whether they authorize action and get the world to pull together behind their action or not, or some other approach? In other words, do we say at this time, "Hey, we're not going to give you a veto, but we're going to keep that option open, on the one hand, to go it alone," or do we notify them and decide right now that, "Hey, if you don't act, we're going to do it," or some other formulation?

Mr. BERGER. I think that the United States always reserves the option to act alone under extreme circumstances, and I don't think that we can forego that option. I don't think that it is particularly—and certainly that option lingers in the wind, it's out there, but I don't think we necessarily help ourselves at this stage by indicating that we're going to go alone.

I think we ought to put the responsibility here where Dr. Schlesinger has put it, on the Security Council, in the first instance. I think there probably are members of the Security Council who would like to see our nose bloodied by acting largely alone and let them pick up the pieces. So let's leave the burden there.

In the event that the Security Council doesn't act, I think we have the time then to try to still build an international coalition and act, to the greatest extent possible, collectively.

Chairman LEVIN. Dr. Schlesinger, in your November 2001 *National Interest* article, you assert that, "the bases in Saudi Arabia are almost a necessity for successful action against Saddam Hussein." The foreign minister of Saudi Arabia recently stated that all members of the U.N. are bound by Security Council resolutions, suggesting that if there is a resolution, we would have access to the bases, but that without a U.N. resolution, we could not count on, and indeed, he suggested we could assume that there would not be—assistance from Saudi Arabia and the use of our bases.

Is that your position still? Is there any change in that in the last year or so, that bases in Saudi Arabia are almost a necessity for successful action against Saddam Hussein?

Dr. SCHLESINGER. The conditions in the field have changed somewhat, Mr. Chairman. As this committee is keenly aware, we have built base structure elsewhere. It would be desirable for us to be able to use Saudi bases, but it is no longer essential. From other areas in the region, we could go into Iraq.

Chairman LEVIN. Thank you. My time's expired.

Senator WARNER.

Senator WARNER. Thank you, Mr. Chairman. I welcome both of our distinguished witnesses. We've had the pleasure, you and I, of many years of association with these fine Americans who continue their public service. Thank you.

First, to Mr. Berger. I look back on the Clinton administration, and we worked together very closely. I remember so well when Tony Blair was elected Prime Minister, the President had him to Washington. I was privileged to be involved in one of the first meetings that the President had with the Prime Minister. My recollection is you had a close working relationship with him. Am I correct on that?

Mr. BERGER. Yes, absolutely.

Senator WARNER. Yes. But I pick up this morning your statement, "nuclear weapons potential"—and we all recognize it's a potential—"concerns me the most." Yet the Prime Minister has reported in today's paper—says as follows, "Iraq could deploy nerve gas and anthrax weapons within 45 minutes of an order from President Saddam Hussein or his son." Do I see a difference in priorities between you and the Prime Minister?

Mr. BERGER. No, I think what Prime Minister Blair is describing there is Saddam's capabilities. I have no reason to question that he's right. He also, I think, shares my view that Iraq is a potential threat to the stability of the region and the United States. But I don't think that necessarily goes to what the probability is that he would launch a preemptive attack. I think that is—with biological weapons—always a possibility. It's something I think we have to continually reevaluate. But I think it is also a distinct possibility that he would launch a biological attack in response to our military operation as well.

Senator WARNER. Speaking for myself, having gone through a series of briefings with my colleagues here, I'm gravely concerned about his significantly enhanced inventory of weapons of mass destruction in the two categories of biological and chemical. Let's just dwell on the biological.

There's open testimony to the effect that Saddam has this enhanced capability. It is mobile. To me, that indicates that he could put small quantities in the hands of third parties in the terrorist regime. Yesterday, the Secretary of Defense, in open testimony, linked Iraq with al Qaeda. That could work its way to the shores of the United States. Those small quantities of biological weapons could be released in 45 minutes, or some figuratively similar period. That's my main concern.

It seems to me our President has no alternative, as Prime Minister Blair indicates, to initiate preemptive actions, if that is nec-

essary, to stop that transit. I mean, we're still struggling here in this country to know who put anthrax in the Senate. If this is put into the hands of the terrorist organization worldwide, we may not be able to quickly link Saddam Hussein directly to having perpetrated an attack on the United States.

Therefore, I just want to get your consensus as to how dangerous you think this biological threat is and the fact that materials can be put into the hands of terrorists and readily distributed and transported to our shores.

Mr. BERGER. Senator, I, too, am concerned about Saddam's biological capability and his continued efforts to enhance that capability. I think that has to be a concern of the United States. I think that the point I was making goes to whether we have time—not years, not 5 years or 10 years—to try to do this in a way that maximizes the extent to which we have international support. I believe that we do have that time.

Senator WARNER. But you had firsthand experience with this inspection regime. You had to deal with it and make some tough decisions when—in your phrase, “unfettered inspections”—fell apart. But that cooperation by Iraq is absolutely an essential ingredient if the U.N. is to have any degree of success over and above what was experienced in the previous 11 years. Am I not correct?

Mr. BERGER. Absolutely.

Senator WARNER. Do you see any indication from Iraq that they are going to cooperate? Because to go down this path of additional inspections without some strong indication that they're going to cooperate, to me, is futile.

Mr. BERGER. Well, I don't see any particular indication. As I said in my statement, Senator Warner, I'm skeptical that an inspection regime will result in disarmament without cooperation. To me, an inspection regime could conceivably slow down and disrupt his effort. But the most important reason for us to seek a Security Council resolution that calls for and describes “unfettered inspections” and then tests them in a rigorous way is to gain the support of the international community so that we're acting here in concert with others.

Senator WARNER. Let me turn to Dr. Schlesinger's closing comments with which I strongly associate myself, and that was as he observed Congress now looking at a resolution and, at the same time, the U.N. working on their resolution. Am I correct, Dr. Schlesinger, in the summary, that the extent that the congressional resolution is strong, clear, and decisive and shows no difference between the course of action chartered by the President and that by Congress supporting him through the resolution, that is the extent to which we're most likely to get a strong resolution in the United Nations. Have I stated that correctly?

Dr. SCHLESINGER. You have stated it perfectly correctly. Any clear signs of equivocation in U.S. policy will, I think, weaken the willingness of the United Nations to have a strong resolution.

Senator WARNER. Your worry, Mr. Berger, was an interesting one: let's get a congressional resolution sharpened. I accept that word, “sharpened.” To me that makes it stronger and in no sense weaker than what the President submitted to Congress.

Mr. BERGER. Yes, Senator Warner. My view is that a more focused resolution that has genuinely broad support shows greater credibility than a broader resolution that has narrower genuine support.

I'm not talking about what the number of votes may be.

Senator WARNER. No, I understand that, but I liked your word "sharpened." To me that means more forceful. In no way should we try and weaken any of the provisions that are presently submitted to Congress by the President.

Mr. BERGER. I think the draft—and the President was quite clear this was a draft of the White House——

Senator WARNER. Yes.

Mr. BERGER.—that was submitted, I think is overly broad. I think that we're talking here about something that could take place for a very long time. We learned once before, many times before, how important it is to have American public support for the long haul. We ought to know that—the American people ought to know what we're getting in for. Therefore, we ought to describe that authority, I think, in a sharp way and a focused way and ask the President, as President Bush Sr. did in 1991, to come back to Congress before exercising that authority with certain determinations, for example, with respect to what a post-Saddam regime would look like.

Senator WARNER. Well, I certainly accept, let's sharpen it. Let's not dull the draft.

I thank you.

Chairman LEVIN. Thank you, Senator Warner.

Senator Kennedy.

Senator KENNEDY. I want to thank both of you, as well, and thank our leaders in the committee for giving us the opportunity to listen to two experienced and thoughtful individuals that have been so concerned about our security and defense.

Obviously, as has been pointed out, Saddam is the danger, and obviously the weapons of mass destruction are the basic problem. But there's also al Qaeda and the strength of al Qaeda out there. There's also what is happening in Afghanistan now with the potential of deterioration in Pakistan, as Mr. Berger pointed out, if Musharraf is displaced.

We have, according to the Secretary of Defense, some 90 nations that are cooperating with us now, giving us important information and intelligence. This battle, I believe, is going to go on and poses a very serious threat.

Now, my question is this. If we were to see the actions that are going to be taken against Iraq—first of all, I listened to Tony Blair yesterday. I didn't associate his remarks with the actions of al Qaeda and the dangers of terrorism, providing these weapons of mass destruction. I might have missed something. I've listened carefully to the intelligence reports. We don't have intelligence reports, at least that I have seen, that say that Iraq is providing weapons of mass destruction to al Qaeda now. If that happens, we ought to know about it. I'm concerned that if Saddam Hussein's back is against the wall, he may provide them. That's a danger.

But let me get back to my question. What are the implications in the battle with al Qaeda between a United Nations involvement



in terms of Iraq and the United States going alone? Is there a difference in terms of the kind of cooperation we're going to have from the intelligence field and from the military cooperation that we are receiving now in the battle against al Qaeda? Will there be any differences, and how should we measure it?

Mr. BERGER. Senator, I think that there are two implications here. That doesn't deny the fact that we have to deal with Iraq, as I said earlier. But I think one is the focus of decision makers, and the other is the support of the international community.

We debate whether or not the military has the capability to fight two wars. I'm not sure whether or not the senior leadership of a government has the capability of fighting two wars without some distraction. So question number one is whether we lose focus here. That, obviously, will be a more serious problem if we're acting largely alone, and, therefore, in my judgement, with a much more serious burden to bear and much more serious consequences.

The second reason why I think that it reinforces the notion that we want to try to do this with the legitimacy that comes from international support is that we're entering a phase of the war against terrorism and the war against al Qaeda. I believe al Qaeda remains a real threat, a clear and present danger to the United States, a virulent threat. I believe that we most likely will be attacked again, and we cannot lose that sense of urgency.

We're now in a phase of this war which requires cooperation: military cooperation, intelligence cooperation, and political cooperation. Much of this involves rooting out cells that are in third countries. We're not going to, presumably, drop the Special Forces into Hamburg or the—perhaps after the election, that might be, some people in the White House may be discussing that.

So, I think it's extremely important that the world is marching together on the major security threats that are not only threats to the United States, but to the world.

Senator KENNEDY. Dr. Schlesinger?

Dr. SCHLESINGER. Senator, you quite rightly point to the al Qaeda problem. It will be with us for a long time. Al Qaeda has been disrupted. It's on the run. It has lost its safe haven. It has lost its training facilities, but it is still there, and it will be for a long time. Pakistan, as Sandy Berger has indicated, is a serious potential problem, and you've reiterated that.

What would be the consequences of going into Iraq? It depends upon the effectiveness of a move into Iraq. If we have a quick success—and I pointed this out in the article that the Chairman cited—in Iraq, we will be surprised at the number of countries who are eager to help us. It just isn't politics. We'd have a bandwagon at that point. If it is a botch, the reverse will be true and we will not be in a position to arrest a decay, let us say, in Pakistan.

A triumph of American and other arms will, as in November of last year, alter public opinion in Pakistan. A failure or semi-failure of American arms will lead to a revival of support for Osama bin Laden in Pakistan. There are the risks that are involved, and it depends how effective a campaign against Iraq might be.

Senator KENNEDY. In the strong likelihood of the involvement of Israel in this conflict—we saw Prime Minister Sharon indicate that if Israel was attacked, that, unlike the previous conflict, they would

respond. Given the kind of information that Senator Warner pointed out, as Prime Minister Blair mentioned, the 45-minute ability to be able to use weapons of mass destruction, the real possibility of that kind of activity, Israel's response—what additional kind of a risk does that provide to this kind of endeavor in terms of both the United States and the United Nations?

Mr. BERGER. Senator Kennedy, first of all, if existentially threatened, I think that the possibility of Saddam launching an attack at Israel, perhaps a chemical or biological attack at Israel, is very real.

Number two, I think that Israel, and perhaps any sovereign democratic country attacked by chemical or biological weapons, would be hard pressed not to respond. Whether it responds conventionally or in some other fashion will be a judgment that the Israelis will make. So I think they will respond. All the more reason, it seems to me, to embark on this to the extent, if it's at all possible, with the acceptance of the Arab world.

The Saudis have indicated that they will support or accept something done with some form of a U.N. blessing. I don't know that they really are—the language here is all that critical. If we are seen as the United States and the British, I think the danger, under the circumstances you've described, of this situation breaking along an Arab-Israeli fault line is much more serious. Under those circumstances, I think Dr. Schlesinger's concern about effectiveness becomes more difficult.

Senator KENNEDY. Just to finish that thought, and the impact of that kind of division on the war against al Qaeda, would that have implications in terms of our ability to be more effective in terms of the war against al Qaeda? Would this diminish our ability if that were to happen?

Mr. BERGER. Well, certainly we need support and cooperation from countries in this region to fight the al Qaeda threat, which is, in a sense, the cockpit of the crucible of this threat. We're receiving that support from some, less from others, but I would not want to see the situation evolve in a way in which these countries believe that a hard anti-American position was necessary for their survival.

Chairman LEVIN. Thank you, Senator Kennedy.

Senator Hutchinson.

Senator HUTCHINSON. Mr. Chairman, thank you. Thank you for holding this hearing today. I want to thank our distinguished witnesses today for their contribution to this very important national debate on how we address the threat that is posed by Saddam Hussein and Iraq.

Mr. Berger, some of the issue is, from your testimony, the currency of the threat, the immediacy of the threat, and you've indicated that you believe that we have some time and that it would be uncharacteristic of Saddam to attack us with biological weapons. If I understood your testimony correctly, it was based on, number one, his desire to survive, and number two, the likelihood of detection and then subsequent annihilation.

Following on what Senator Warner has said—I mean, we've been waiting over a year now attempting to detect the source of the anthrax attacks upon our country. Given Prime Minister Blair's re-

port yesterday to the British Parliament and the dossier that they released that biological weapons could be released within 45 minutes on the order of Saddam Hussein and what I believe is a current link between Saddam Hussein and terrorists—I mean, it is widely reported that some members of al Qaeda have taken refuge in Iraq. Saddam has been an active and vocal supporter of Palestinian extremists, provided sanctuary for some of the most notorious terrorists over the last 2 decades—that those links are already established.

So it seems to me if we wait until we know that he's provided al Qaeda with biological weapons, then we've waited too long, and that the immediacy or the currency of the threat, I mean, that is at the very heart of this debate as to how quickly the United States should move and how much time we really have. Could you respond to that?

Mr. BERGER. Well, first of all, Senator, I think the threat is real. When I say that we have some time, I don't mean some time to do nothing. I mean some time to begin to act in a way that puts ourselves in the best position here to secure either disarmament of Saddam—of Iraq, one way or the other. On that, I think that we have enough time to vigorously seek the support of the international community. If we obtain that support, or at least acceptance or understanding of the nature of the threat, I think the risks are much diminished.

The potential that Saddam Hussein would preemptively use biological or chemical weapons against us or through a terrorist is not something that can be dismissed. I believe that is a possibility. But he would have to be fearful that we would detect that, knowing that every intelligence resource of the United States is trained on that.

Senator HUTCHINSON. Have we not done that over the last year on the anthrax attacks?

Mr. BERGER. Well, we have different intelligence bodies working on those two matters. But that's for another committee, I think.

I'm not saying that we would certainly be able to detect it, but it would be something that he would have to take into account, and I think that he would recognize that that would result in annihilation.

If I could just say one last thing, he's had these weapons, of course, for many years, he's had chemical weapons for 20 years, and has not used them preemptively. Again, I don't suggest here, Senator, that this is not something that is a real threat, something we should be genuinely concerned about. It simply, in my judgment, does not mean we have to act here without trying to lay the groundwork.

Chairman LEVIN. Senator Hutchinson, if you would just yield for one moment, we have the first of two votes now that has started. I'm going to leave and try to come back immediately and then vote at the end of the second vote. After Senator Hutchinson is completed, Senator Akaka would be next on our side, and then Senator Sessions would be next. But we'll try to keep this going.

Senator SESSIONS. Mr. Chairman, I think Senator Collins was ahead of me.

Chairman LEVIN. I'm just following the list here, and I'm happy to change it. With the two of you in agreement, we'll put Senator Collins first. I'm just reading what they give me. Thank you, though, for saying that, Senator Sessions.

We're going to try to keep this going, in other words, during these two votes.

Senator HUTCHINSON. Thank you, Mr. Chairman.

Mr. Berger, you indicated, in talking about how much time we have, that the U.N. resolution should have a time ultimatum. Could you suggest what the time ultimatum ought to be for compliance by Saddam Hussein?

Mr. BERGER. Well, I'm not sure precisely. I would need to have some conversations with U.N. envoy Hans Blix to determine how much time it would take to get inspectors in there, get them set up. I don't think that we ought to spend months and months checking whether the cameras are still working. I think that we ought to do what Richard Butler did in 1998 when the inspectors went back in, which is to test it against a hard site. So I think it's months. I don't know what exactly the right number is.

Senator HUTCHINSON. Dr. Schlesinger, I didn't give you an opportunity on this whole issue of the risk of Saddam Hussein giving biological weapons to terrorist organizations and whether we have time.

Dr. SCHLESINGER. Floating in this conversation has been comparison of the risks of nuclear weapons against biological or possibly chemical weapons. Nuclear weapons, if they can be delivered, are, of course, the most dangerous, but we are some period away from that, in all likelihood.

The advantages from the standpoint of a terrorist group, is the ambiguity of biological weapons. If pressed, Saddam Hussein may wish to exploit that ambiguity by passing it on.

On the question of time that you raise, there's another dimension, which is what is the capacity of al Qaeda or possibly other terrorist groups to exploit biological weapons that have been put into their hands? As we saw earlier during the campaign in Afghanistan, they were not yet ready to exploit biological weapons, probably not even chemical weapons. As time passes, it is quite possible that a revived al Qaeda will be in a better position to exploit such weapons. For that reason, one would like to diminish the time that might be available to them or to Saddam in passing on such weapons.

Senator HUTCHINSON. Thank you, Dr. Schlesinger.

My time has expired, but I do want to say how much I also associate myself with your remarks that a strong resolution passed by Congress on a bipartisan basis strengthens our position with the world community and the United Nations immensely. I thank you for your testimony.

Thank you.

Dr. SCHLESINGER. Thank you, Senator.

Senator AKAKA. Thank you very much.

I have some questions for the witnesses. We had a good meeting on Monday with the panel of retired generals. We discussed the need for a postwar strategy. Both General Shalikashvili and General Clark stressed the importance of thinking through, not only

our warfighting strategy, but also our peace strategy. General Clark commented that our peace strategy in Kosovo was critical for the success of that operation. I want to stress that comment.

My question is, what are your comments regarding a peace strategy? What do you think are some of the key issues which need to be thoroughly planned for the postwar period? Mr. Berger, can you please comment on the reference made by General Clark to our prewar and postwar strategy in Kosovo?

Mr. BERGER. Well, in Kosovo, as in Bosnia, General Clark has said, we used diplomacy and force together. Thereafter, the international community, through the United Nations, through other bodies, moved in in substantial fashion. While it's been a slow process, we now largely have a peaceful and democratic Balkans, which is quite an extraordinary phenomenon.

I think, in this case, we have to think, first of all, about the territorial integrity and security of Iraq. There could be incentive for the Kurds to move against oil fields, which could precipitate the Turks moving in to the north. There is obviously the risk of the Iranians doing the same in the south.

So, number one, we would have to, I think, have a presence there for some time to protect the territorial integrity of Iraq.

Number two, this is not simply a case of getting rid of Saddam and putting somebody else in his place. You have a regime here throughout the government that has to be essentially rooted out, replaced, and another civil structure brought to bear, and that will take some time.

I think this is critical. I think the way we've handled postwar Afghanistan is not extraordinarily encouraging. We've not been willing to have an international countrywide presence, as Prime Minister Karzai has asked for. Perhaps we're changing that view now. Security is deteriorating in Afghanistan. Afghanistan, I can assure you, is a lot less formidable a problem than Iraq.

I think that it is incumbent on the administration to discuss with Congress and the American people what our vision is for a post-Saddam Hussein Iraq. The factions, the opposition groups, both inside and outside the country, tend to hate each other almost as much as they hate Saddam Hussein. There has not been a natural alliance there, so it's going to be difficult to put together a coalition.

I don't think any of these things are insurmountable, but I would, again, rather be doing this as an international community with the United States playing a very active role than the burden being almost entirely on our shoulders.

I think Dr. Schlesinger's right. If we win, some of our friends, our erstwhile friends, will be happy to take the oil part of that reconstruction, but they may not be as happy to bear some of the less lucrative portions of the rebuilding effort.

Senator AKAKA. Dr. Schlesinger, you have a comment?

Dr. SCHLESINGER. Thank you, Senator. I was observing to Mr. Berger that those two things can be tied together.

Let me disagree with Mr. Berger on one point. I don't think that Afghanistan is that good an analogy. I agree with him that the situation has deteriorated, but these two countries are quite different. Historically, Iraq has been a secular country. It has been a country

of some degree of economic well-being and cultural advancement. It would be, in a postwar world, easier to work with such a country than with Afghanistan which has all of the problems of a tribal structure with deep ethnic divisions.

The first point I would make is that we must, as a psychological point, appear to the Iraqi people as coming, as the Secretary of State has said, to liberate them, not to conquer them. In the course of that, we need to see to it that the standard of living of the Iraqis, which, for a variety of reasons, has been repressed, rises respectably and gradually, and that way we can win internal support and begin to move toward democratization of the country. That is a slow process, by the way.

The second point is hinted at by Mr. Berger, and that is that if we go in, the alliances change and attitudes change, and we will be obtaining support and rewarding support that did not exist prior to our going in.

Mr. Berger has mentioned the oil contracts. Those should be a reflection of the need to raise the standard of living of the Iraqi people over time, desires to deal appropriately—I use that word advisedly—with the OPEC powers, and, at the same time, to see to it that those who are obdurate in their attitudes toward us are not rewarded.

Mr. Berger's comment on territorial integrity is quite right. There are serious divisions. Over time, those divisions could weaken or they could grow stronger. It is important for us to reassure our Turkish allies that there will not be an independent Kurdistan, that we need to see what kind of federalized semi-autonomous structure can be built there so that each of these communities can feel better. We need, as your question implies, Senator, to be thinking very hard and seriously now about how to deal with that—hypothetically—post-victory condition in Iraq. The tendency is, “focus on the war and how we're going to win it.” Very important. Critical. But this is also critical.

Mr. BERGER. Senator, may I add one point to what Dr. Schlesinger said?

Senator AKAKA. Yes.

Mr. BERGER. I don't think the American people have been prepared very well for this part of the deal. We see, a year after September 11, with the most devastating attack on the United States, the most searing experience that we have undergone as a country, some might say, that it's easy to lose attention, to lose focus. I think that the American people need to sign up for the whole deal, and they can't sign up for the whole deal if we're not talking about what's at the other side of victory, which is—I think Dr. Schlesinger and I both agree—costly, protracted, and not easy.

I think that we make a big mistake to enter into military involvement without the American people not only knowing the threat, but also having a clear picture of what the costs and timetable of that involvement might be. I would hope the administration would come forward with that. I would hope that Congress would elicit that from the administration.

Senator AKAKA. Thank you very much for your responses. At this time, I'd like to call for a recess, but briefly, and we'll be back with you.

Thank you. [Recess.]

Chairman LEVIN. We'll come back to order. Again, our apologies for the interruption here, but there were a couple of votes on the floor of the Senate. As you're both old hands around here, I think you can understand that problem.

Senator COLLINS.

Senator COLLINS. Thank you, Mr. Chairman.

Gentlemen, welcome, and thank you very much for your testimony this morning.

Mr. Berger, I'd like your comment on Dr. Schlesinger's view that the best way for us to secure a strong United Nations resolution is for Congress to first pass a strong resolution of its own by a large bipartisan vote, since there's been much discussion of which should come first.

Mr. BERGER. In 1991, of course, it was the other way around. In 1991, the Security Council resolution came before the congressional resolution. I'm not sure the sequence is as critical.

But, Senator, I would say this. I think that a narrower, more focused resolution that truly has genuine bipartisan support would do more for the credibility of the United States than a broader resolution that does not have genuine bipartisan support. That's not only measured in terms of what the vote may be. There are a lot of reasons why people vote. But it seems to me the President needs here to bring the country behind him on this. I think he would be well advised to work with Congress to focus this language in various ways so that there is genuine bipartisan support.

Senator COLLINS. Do you have some specific suggestions for changing the wording of the draft resolution submitted by the administration?

Mr. BERGER. I think there are three or four areas, generally. There are some factual representations in the beginning which I think are overreaching. I would certainly narrow the authorization here to Iraq rather than the region. I would put this in the context of complying with his obligations on weapons of mass destruction. Although the American people, I'm sure, are concerned about the prisoners in Kuwait, I don't think they're prepared to go to war over them. I would find a way to support the President's effort in the U.N. to gain a resolution expressing the will of the international community.

I think, like the 1991 resolution, as President Bush Sr. agreed, I would have the President come back to Congress before exercising the authority with certain determinations, particularly, for example, with respect to what a post-Saddam Hussein regime would look like and what our plan would be for such an enterprise, because I think that if we don't sign up for the whole enchilada at the beginning, Senator, I can see us, even if we are successful, losing interest, getting deflected by another crisis and leaving Iraq actually as bad off as it is now.

Senator COLLINS. Dr. Schlesinger, Mr. Berger and others have raised concerns about the impact of a war in Iraq on regional stability and what Iraq might look like post-Saddam. In January, when I was in Turkey, the Chairman and many of us met with Turkish leaders who are very concerned about the impact on Turkey's stability if the United States were to launch an attack on

Iraq. Can you envision a scenario where we might be worse off after removing Saddam Hussein?

Dr. SCHLESINGER. Senator, there's a risk whichever way one goes. If one does not take action, there are risks. If one does take action, there are risks. In the case of taking action, I have emphasized earlier and I think in the article that the Chairman cited, that we cannot abide failure. If we have a failure out there, or even a semi-failure, we might be worse off than otherwise. If we go in, we must be assured that this is going to be a highly successful operation, that it will change the psychology, not only in Iraq, but in the neighboring countries.

I believe that Turkey will be with us under almost any circumstances, and I think that, although it is frequently said by people in the administration, as in prior administrations, people will tell us things in private that they do not say in public. That is always the case. I think that one will find that the clearer the policy and the greater the success of the policy, that others will be much more inclined to jump in behind us.

Success has a thousand fathers. Failure is an orphan.

Senator COLLINS. Mr. Berger, I agree with you on the importance of building international support for whatever action we choose to take. I also agree on the importance of a U.N. resolution. Nevertheless, given Iraq's past defiance of numerous U.N. resolutions, do you see any realistic possibility that Saddam would comply with yet another U.N. resolution? I realize there's an argument to be made that we should go through the process in order to build international support. But, at the end of the day, is it realistic for us to think that Iraq is ever going to comply with any U.N. resolution?

Mr. BERGER. Senator Collins, I would not bet the ranch on it, but I also would not totally rule it out. Let's recognize here that we're dealing in a different set of circumstances in which the international community, implicitly at least, is saying that they're prepared to invade Iraq if he does not comply. He does have a survival instinct.

So while I think we need to go through—we need to do this for the reasons I said and you said—that is, I think this is a way to build legitimacy and support, and I'm not overly optimistic that we're suddenly going to have a deathbed conversion—the fact of the matter is that this would be the first time that he was literally on his deathbed, and there are sometimes—that has a way of clarifying people's actions. So I wouldn't rule it out.

Senator COLLINS. Dr. Schlesinger, it is said that nothing so concentrates the mind as the knowledge that one will be hung in a fortnight. Or whatever the expression is, picking up on Mr. Berger's analysis. What is your judgment? Do you see any possibility that Saddam, knowing what the alternatives would be, might decide to comply?

Dr. SCHLESINGER. I think it's a theoretical possibility. One cannot dismiss it out of hand, but one must look at the nature of the man, the society that he has grown up in. Saddam came to the top by participating in an assassination attempt against a predecessor, General Kassim. From there, he fled to Cairo. In 1962 or 1963, General Kassim threatened to go into Kuwait to restore the "19th province." Here was this man with a death penalty on his head



sending a cable from Cairo to General Kassim saying, "I'm all for you. I'm prepared to come back and fight for Iraq."

The nature of this man is that he is always going to be looking for an out, and he has grown up in that kind of society. So psychologically I don't think that one wants to bet the ranch, as Mr. Berger has said.

Senator COLLINS. Thank you, gentlemen.

Chairman LEVIN. Thank you very much, Senator Collins.

Senator Cleland.

Senator CLELAND. Thank you very much.

Gentlemen, thank you for being here. I've often sought your advice and guidance, and we do that today.

Let me just get right to the point here. For me, the question is not so much whether to use force or not in Iraq. The question is to what objective, for what purpose is that force to be applied. As Colonel Harry Summers wrote in a marvelous book on strategy, he took Clausewitz's basic principles of war and applied them to the Vietnam War. You and I and Dr. Schlesinger were on a program with Colonel Harry Summers once. Colonel Harry Summers wrote that: "The first principle of war is the principle of the objective. It's the first principle because all else flows from it."

So instead of focusing on the means, I'm looking to the ends here. As Clausewitz said, "The leader should not take the first step without knowing the last step he's going to take."

So my question to you is, what do you consider the last step here? We have three options, it seems to me. First is destruction—destruction of the regime, which would involve the destruction of a lot of lives: ours, theirs, civilians—and the possible dismemberment of Iraq.

General Hugh Shelton told me that if Saddam Hussein was removed from power, that the Kurds, the Sunnis, and the Shiites would be fighting each other like banshee chickens. Not to mention the possibility of Iran strengthening its hand in Iraq, and we know Iran is still a threat in many ways to Israel because it does provide tangible support to terrorists. Destruction of the regime.

Second, deterrence, a la the old Soviet Union, which means we allow them the weapons of mass destruction, but we deter them by building our own and say, "if you move into a neighbor, you're toast."

Then, finally, disarmament, which is what Tony Blair told the Parliament, which is what General Clark has said to us the other day was the goal, and General Shalikashvili said was the objective. It does seem to me that the course of disarmament is where we do have the greatest number of allies, the greatest likelihood of getting our resolution through the Security Council and the greatest support on Capitol Hill.

All else flows from the objective. Mr. Berger, is it not true that the real objective here is not so much the destruction of the regime or a regime change or the dismemberment of Iraq, possibly, and creating civil war and chaos there, but more the real objective is disarmament?

Mr. BERGER. Senator, I believe that the objective is disarmament, and in the sense that we ought to use every means to see whether that can be achieved, short of war. If we have inspectors

who go in under unfettered—truly unfettered—conditions and they do not have the cooperation of Saddam Hussein, then it seems to me the purpose of war at that point is regime change, which is why I think we have to put the threshold very high. Once we embark on that, it seems to me it is not—in 1998, we bombed known weapons of mass destruction sites and we probably set his program back for some period of time, but, as we know, not forever.

So I think our national interests would be served if we could achieve the goal of disarmament. The threat of force may be useful in doing that. But if we are actually then to go to war because Saddam Hussein will not cooperate in disarming, then I think the purpose of that war is a regime change.

Senator CLELAND. Dr. Schlesinger?

Dr. SCHLESINGER. Senator, disarmament is that goal for which we can attract the greatest international support, it attracts that support because it's the lowest common denominator. I think, as Congress stated in 1998, that given Saddam's record, regime change must be an objective. As Mr. Berger has said, if we go, we should move on to that.

Commenting on Clausewitz and all of that, first principles, I wish the world were as simple as it was for Clausewitz. What we had in Clausewitz is the notion of a nation fighting a nation, one on one, or one against two. Here we are dealing with, in the war on terrorism, a far more widespread and complicated problem. What we see, basically, is a civil war within the Muslim world in which a segment of that world now targets the United States so that it is impossible for us to focus simply upon a single nation. For that reason, that we are engaged in a war on terrorism, I don't think that we can find that last step that Clausewitz recommended to us.

Senator CLELAND. I agree, and I agree with your principle that if you're not going to win, don't go in.

Dr. SCHLESINGER. Yes.

Senator CLELAND. Because once you commit militarily, you put the prestige of the United States and, in many ways, maybe the United Nations, on record, and you cannot fail, which is why I'm interested in drawing the objective as tightly and as firmly and as clearly as possible, particularly in terms of the military objective.

I'd like to take you into that war on terrorism, though, Dr. Schlesinger and Mr. Berger. It does seem to me that al Qaeda, based on testimony from a number of generals and so forth, is our number one objective and that if we look at the principle of first things first, that is the war we're already in. We've already passed a congressional resolution in that regard.

Interestingly enough, there was an ad in the *New York Times* today in the op-ed section. It's Osama bin Laden saying, posed as Uncle Sam, saying in a sense, "I want you to invade Iraq." He says, "go ahead. Send me a new generation of recruits. Your bombers will feed their hatred of America and their desire for revenge. Americans won't be safe anywhere. Please attack Iraq. Distract yourself from fighting al Qaeda. Divide the international community. Go ahead. Destabilize the region. Maybe Pakistan will fall. We want its nuclear weapons. Give Saddam a reason to strike first.

You might draw Israel into a fight. Perfect. So, please, invade Iraq. Make my day.”

Your reaction, Mr. Berger?

Mr. BERGER. I believe, Senator Cleland, that al Qaeda is the most clear and present danger faced by the United States at this moment. We have certainly disrupted it. We’ve not destroyed it. I believe it continues to maintain its mission. Its capabilities may be disrupted. There’s a lot of work to be done. Our staying power at this point may be as important as our fire power.

That doesn’t lead me to the view that we can ignore Iraq. It leads me to the view that as we are doing what we have to do on al Qaeda, we have to be moving forward to build international legitimacy and support for what may be necessary on Iraq. If seen in that kind of parallel sequence, I think that makes the most sense to me.

Dr. SCHLESINGER. Osama bin Laden may feel that he will get some relief if we divert our attention elsewhere, but it will be temporary relief. The number of recruits that responds to the colors, once again, depends upon the degree of success. A clear victory in Iraq is likely to lead to a falling off of support of al Qaeda rather than an increase in support of al Qaeda.

It is important in the war on terrorism to recognize that dealing with al Qaeda, a set of terrorist cells, does not lend itself to victory in a traditional sense. It is going to be a long, long struggle. We cannot abandon other elements of U.S. foreign policy during this long struggle.

What we need to do is sustain the momentum in the war on terrorism, and I believe that if we are successful—once again, one must take a careful assessment of the success that we are likely to achieve, military success—in that sense, that it will sustain the image of the United States.

One final point. The President of the United States and others have been saying: “regime change, regime change, regime change” for some time. That is in the mind of the rest of the world as a goal of U.S. policy. Indeed, it’s the stated goal of the U.S. Congress. If, once again, after all of the rhetoric that we have employed on this subject, we back off and that regime stays in power, many of our critics who are criticizing us today for being too aggressive will turn right around and say, “You see? Osama bin Laden was right. The Americans are a bunch of cowards. They’re wimps. They cannot stand the sight of blood. Therefore, despite their rhetorical objectives, they never deliver.”

Incidentally, much of the population of Iraq will take that view. They were disappointed in 1991. They have been disappointed with our rhetoric recently. They were buoyed up, many of them, in Iraq by the President’s speech to the United Nations. But the question in their minds is, “Will the Americans deliver? Will Saddam be toppled?”

Mr. BERGER. Senator, can I add a point to that?

Senator CLELAND. Sure.

Mr. BERGER. Building on what Dr. Schlesinger has said, I think whether we are successful is directly related to how we proceed. I agree, a clear victory is what’s necessary, but the ability for a clear victory, it seems to me, is greatly enhanced by the extent to which

this is not seen in the region, even in Iraq, as an American invasion.

Senator CLELAND. Thank you.

Thank you, Mr. Chairman.

Chairman LEVIN. Thank you. We'll try a second round, perhaps 4 minutes each in case others come by.

Senator WARNER. How about 5 minutes?

Chairman LEVIN. We'll stick to the 4 minutes and then we'll expand it for a third round in case others show up here.

Mr. Berger, you said that we don't help ourselves by saying that we'll go it alone at this point. Why do you say that? Expand on that.

Mr. BERGER. I do believe, Mr. Chairman, that we have to preserve that option, because there may be circumstances in which the threat is such that we have to act even if others don't. I think that there's enough smell of gunpowder in the air already that the world gets it and understands that under certain circumstances we may be compelled or feel compelled to act alone.

But by saying, at this point, as we're working toward the U.N. resolution—I understand there's a negotiating posture to some degree—it really doesn't matter, we may be letting the U.N. off the hook. I'm cynical enough to believe that there are some members of the U.N., maybe even some members of the U.N. Security Council, who will be very happy to let us do this, hold our coat, let us either win and then come in and get the oil, or lose and bring this big American hegemon down a couple of notches.

I think we've contributed to that somewhat by putting out this doctrine on preemptive attack in which we're now saying—which tends to suggest, and I think Dr. Schlesinger referred to this in his opening remarks—not quite in these terms, I don't want to put words in his mouth—that Iraq is the rule, not the exception. This is the template. We'll do it in Iraq, then we'll do it in Iran, do it in Syria—of how the Chinese begin to look at that.

So it seems to me that all this talk about "it doesn't matter" is implicitly from the administration.

Chairman LEVIN. Doesn't matter—

Mr. BERGER. Whether we have U.N. support or not. I think it may be a self-fulfilling prophecy.

Chairman LEVIN. Let me ask you this question, because you used the word "sharper," and Senator Warner picked up on that. Is what you've just described a narrower focus?

Mr. BERGER. Yes, I think it is a narrower focus, but it still is authority to use force.

Chairman LEVIN. Is that a sharper focus? Is that what you mean by "sharper," narrower?

Mr. BERGER. Yes.

Chairman LEVIN. There's some—I think—

Mr. BERGER. I think, if you would prefer to call it narrower—

Chairman LEVIN. Not me. I'm just asking you what you meant.

Mr. BERGER.—and Senator Warner would prefer to call it focused, and that's the way in which we can reach strong bipartisan consensus on something, that's fine.

I think that my point is, this is not just about the politics of a resolution. This is about whether the American people are behind

what we may have to do. This resolution could get 99 votes because of the circumstances under which it's being considered, but if many of those votes are not votes that have behind them deep conviction, then we're not going to have the kind of broad support. I think the President has more credibility with a narrower resolution that truly and genuinely has broad support, that alleviates some of the fears and anxieties that some people have—I think we're in a stronger position with that kind of resolution.

Dr. SCHLESINGER. I prefer to think of Sandy Berger as sharp rather than narrow, Mr. Chairman. [Laughter.]

Chairman LEVIN. Well, you used the word "sharp." It's not my use of the word. You used the word "sharp," and I want to see whether you mean by that "narrow."

Senator WARNER. It's a good word, too. I liked it.

Chairman LEVIN. Yeah, I think Senator Warner is reading something into that word which maybe you didn't intend.

Mr. BERGER. I mean narrower and more focused.

Chairman LEVIN. Okay. The next question, then, has to do with whether or not Iraq is likely to use weapons of mass destruction and attempt to transfer those weapons if it has nothing to lose, if it faces regime elimination. Is there much doubt in your mind that Saddam, if he has nothing to lose and he's cornered, would use everything he has, including weapons of mass destruction?

Mr. Berger first, then Dr. Schlesinger, then my time is up.

Mr. BERGER. I think that is a strong possibility, if not a probability. I know Dr. Schlesinger said, if pressed, Saddam Hussein may use biological and chemical weapons. I think that if existentially threatened, that that is a distinct possibility.

Chairman LEVIN. Dr. Schlesinger?

Dr. SCHLESINGER. Mr. Chairman, this man's career, from the days that he was plotting to assassinate General Kassim, suggests that he is not going to go quietly into the night. Saddam Hussein will try to make use of all of his assets.

The question—I think it's a much more significant question—is, will we make clear to military subordinates that if such weapons are employed in response to Saddam Hussein's directive, that they will be tried as war criminals, whereas, if they refrain, they have a good life in the future in Iraq? I think that under the circumstances envisaged, particularly if the initial attack on Iraq, should it come, is one that imposes shock—that you will find that there are many people in the military command who will refuse to execute such commands.

Chairman LEVIN. But they *would* execute them—

Dr. SCHLESINGER. Well, let me reassert your point that Saddam Hussein, in all likelihood, will attempt to use those weapons.

Chairman LEVIN. If attacked?

Dr. SCHLESINGER. If attacked. If attacked or if he thinks that an attack is imminent and certain.

Chairman LEVIN. You made reference, by the way, Mr. Berger, to the politics of the resolution. I must tell you that triggers in me a very strong reaction. This is an issue of war and peace. There is no place for politics or partisanship in this issue.

There is a serious effort, I believe, by Senators to try to reach the right conclusion, and—I want Senator Warner to hear this—I

take umbrage at the quoted statement of the President last night that the democratically-controlled Senate is, "not interested in the security of the American people." I don't know if that's an exact quote or not. That's what's in the morning paper. But if that is an accurate quote, it seems to me, it should be disowned by every Senator of whatever party.

There is an honest effort here to achieve the right answer here for the security of this Nation. That is what we're all about. That's what we struggle to do. That's what we're sworn to do. There may be differences as to how best to achieve that security. There are no differences on the interest to achieve that security, the determination to achieve that security. I just hope that's not an accurate quote. Can we just leave it at that? I don't want to say that out of earshot of my dear friend, Senator Warner, but I hope that's not an accurate quote. I'll leave it at that.

Senator WARNER. Thank you, Mr. Chairman. You and I have worked together on this committee, this is our 24th year. I certainly do not in any way question the patriotism of our colleagues on the other side of the aisle. We may have our differences, but certainly they don't rest in any patriotism.

What we're trying to do here this morning is to work with two extremely well-experienced, tried, tested, and true patriots themselves to search for facts and their views that can help guide the Senate and perhaps Congress as a whole as it embarks on a very critical mission. Namely, it's been called upon by the President—and I was there with you in the Cabinet room when he asked us for this resolution. The draft is up here. I'm not suggesting that we shouldn't consider language—whether it's Democrat or Republican who might suggest changes, but I do believe—I think Mr. Berger said it clearly—we should move to sharpen rather than dull it. We have to be careful in the process not to send a signal abroad, that, as Dr. Schlesinger said, there are others who would love to seize upon the opportunity to hold our coat and let us embark on this mission.

Chairman LEVIN. Mr. Berger, I think, used those words.

Senator WARNER. All right.

Mr. BERGER. Well, again, when I say "sharpen," I mean focus this in a narrower way, Senator, that addresses the essential threat and builds a true bipartisan consensus.

Senator WARNER. I anticipate it will be bipartisan. While we may have some differences, I know good colleagues and friends on your side are who seeking to have it bipartisan, who have discussed with me as late as an hour ago suggestions about this amendment.

The next question I put to Mr. Berger is by no means a political one, but I was fascinated with your phrase—and I've picked up one or two excellent phrases you've made this morning—"we have him on the deathbed this time."

Now, I go back, then, to 1998, when you were very active in this problem. On December 9, you made this statement: "For the last 8 years, American policy toward Iraq has been based on the tangible threat Saddam Hussein poses to our country. That threat is clear. Saddam's history of aggression and his recent record of deception and defiance leave no doubt that he would resume his drive for regional domination if he had the chance. Year after year, in

conflict after conflict, Saddam has proven that he seeks weapons, including weapons of mass destruction, in order to use them.”

Then on December 23—I remember that period very well, because I used to confer with Secretary Cohen. He asked me to come to his office on occasion, and we sat down like two old friends because the burden was heavy on your administration at that time. I remember on December 23, 1998, shortly after the U.S. and Great Britain had carried out Operation Desert Fox—that’s the bombing we undertook because of the inspectors being thrown out—you addressed the National Press Club. Let me quote from that: “If he”—that is, Saddam—“rebuilds his weapons of mass destruction capabilities, we will come. We will come. We have the obligation to do this. We have the will to do it. We have the forces in the region that are ready to do it.”

Those are strong statements. Is there anything that has changed? In my judgment, the change is that the situation is worse than what the Clinton administration was faced with. If those were your thoughts then, which were unequivocal and clear, it seems to me, given the situation is more serious today—I assume that you feel that, in terms of his weapons of mass destruction capability, particularly biological and chemical—that your statements would even be stronger.

That’s why I seized upon the word “sharpen,” because I felt that was a harkening back to these statements that you felt worsened situations require for even sharper and stronger action by Congress in support of the President.

Mr. BERGER. Senator, I think that the determination that we made after 1998 was that containment strategy, by itself, probably was insufficient over the long term, that this was a leaky vessel, and that it was hard to sustain a sanctions regime for a decade. Therefore, we struck in December 1998 at weapons of mass destruction targets and other regime-related targets.

Senator WARNER. But he hadn’t provoked us then, and yet we struck out.

Mr. BERGER. Yes.

Senator WARNER. That wasn’t preemptive under the doctrine, do you believe?

Mr. BERGER. What I’m saying here today, Senator, is I believe that if, ultimately, war is necessary here, the objective should be regime change. But I believe that how we do this, how we go about doing this, relates directly to how effective we will be.

There is a great deal of anti-American feeling in the region over the last 2 years that didn’t exist before. I think that we are dealing with a much more volatile region, and, therefore, to the maximum extent possible, I think that we need to act. I’ve said that in my statement. Doing nothing here is not an option. But I think that we need to build international support. I think that we have time to do that in a strategic way.

Senator WARNER. But don’t you believe the steps taken by the President going to the United Nations, the steps that have been, are being taken, and will be taken by our Secretary of State are consistent with what you’ve outlined?

Mr. BERGER. I welcome the President going to the United Nations. I wish he’d done it sooner. I think that’s the right step.

Senator WARNER. So, thus far, we're on the right track.

Mr. BERGER. Well——

Senator WARNER. We haven't deviated yet.

Mr. BERGER. I think that some of the context here is clouding the situation. I think to put out a new national security doctrine which says that we're no longer in the business of deterrence, we're no longer in the business of containment, essentially we're now in the business—our fundamental national security doctrine is preemption—to do that in the context of this discussion of Iraq, it seems to me is a mistake.

Every President reserves the right to act preemptively under the appropriate circumstances, but we're now saying to the world Iraq is the rule, not the exception. I think Dr. Schlesinger made a very clear case in his remarks: this is a special case.

So I think we're making it more difficult for ourselves by acting as if this is part of a larger plan which has the United States moving around the world establishing a kind of a Pax Americana.

Senator WARNER. Describe the action that the President of the United States took on December 9, when he initiated the bombing of Iraq. Was that not preemptive, under the strict technical interpretations of the doctrine? Saddam Hussein had not used a weapon against any of our forces at that time, except the interdiction of our aircraft from time to time. If anything, that has worsened since that period. So, absent that, wasn't that a preemptive strike?

Mr. BERGER. I don't know what that word means in that context.

Senator WARNER. Well, a lot is being made about——

Mr. BERGER. Senator, we made very clear that if he did not cooperate with the inspectors that we would seek to use military force to try to degrade his weapons of mass destruction capability, and, in the course of doing that, talked about long-term regime change as probably the necessary end point.

So, whether that action was preemptive or not I think is not the issue. The issue here, it seems to me, is how do we maximize the chance that we will get a result here that either disarms Iraq or eliminates Saddam Hussein with the least risk to the United States, the least risk to the stability of the region, and the greatest chance of success.

Senator WARNER. Mr. Chairman, could Dr. Schlesinger comment on my question? The strike of December 9, 1998, it seems to me that was preemptive, well founded. It didn't follow through, regrettably, and achieve the goals, but it was clearly a pattern of what we see today that the President is following.

Dr. SCHLESINGER. Senator Warner, as I indicated in my remarks, whatever the merits, demerits, or necessity of a change in national strategy, Iraq remains a special case.

We have been engaged in an ongoing military conflict with Iraq for the past 11 years. Sometimes it sputters up and sometimes it sputters down, but we have so engaged. Thus, I do not think that we were preempting back then, but I don't think that we would be preempting now.

The focus that Mr. Berger has made is, it's better to have support and allies in the international community than not to have that.

Senator WARNER. I don't think anyone disagrees with that.



Dr. SCHLESINGER. But preemption does not enter into it.

Senator WARNER. Mr. Chairman, I have a few more questions.

Chairman LEVIN. Go ahead.

Senator WARNER. All right. Thank you very much.

Dr. SCHLESINGER. Mr. Chairman?

Chairman LEVIN. Yes? You have a 12:20 departure.

Dr. SCHLESINGER. Could I give a couple of comments?

Chairman LEVIN. You can do what you wish. Yes.

Dr. SCHLESINGER. First, on the question that the Chairman has raised with regard to the use of nuclear weapons, I commend to the attention of the members of this committee an article last week in *The Washington Post* by General Mick Trainor, a former Marine general, who is an historian of the Gulf War. He makes the point very forcefully that we have a good opportunity to interfere in the execution of any Saddam orders by people beneath him. I recommend that article.

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September 18, 2002, Wednesday, Final Edition

**SECTION:** EDITORIAL; Pg. A29**LENGTH:** 1136 words**HEADLINE:** An Attack Strategy to Win; The more troops we array against **Iraq**, the less resistance we will face.**BYLINE:** Bernard E. Trainor**BODY:**

President Bush has stated clearly to the American public and the rest of the world that Saddam Hussein is a threat that must be removed in the near future. It's not likely that Hussein's overture this week will stay Bush's hand.

Now the president must also make it clear that he is prepared to commit whatever troops are necessary to bring a war with **Iraq** to a speedy and victorious conclusion. The war will not need anything like the numbers used in Desert Storm, but it cannot be done on the cheap, as was done in Afghanistan. It is presumptuous for those outside the Pentagon to calculate the exact number of troops needed, but it will certainly be more than 100,000. There is a powerful strategic argument for dispatching a sizable American force and not trying to use the Iraqi opposition as a proxy. Psychologically, the Iraqi army and even the Republican Guards must be convinced that the United States is absolutely committed to Hussein's overthrow and that they are doomed to destruction if they oppose it. The larger the army deployed against them the more it will become clear that resistance is futile and the less resistance we will face. The more powerful the force arrayed against them, the more likely Iraqi commanders will realize that resorting to chemical or biological weapons will not stave off defeat but simply put them before a tribunal once the war is over.

Just the buildup of forces on their border will have a depressing psychological effect on those in Hussein's army. The Iraqis know from the **Gulf War** that they are no match for the Americans. The president should capitalize on this fear and drive home the point. The Iraqi armed forces are a shadow of their pre-**Gulf War** selves, but they are still formidable -- too formidable for the United States to use the Afghan model of relying on local proxies supported by American air power and Special Operations forces.

According to unclassified sources, the Iraqi army is about half the size of that pitted against a half-million-man coalition force in 1991. Except for favored Republican Guards, it suffers severely from a shortage of spare parts, poor maintenance and a resulting lack of mobility. Of its 2,200 tanks, at least half are estimated to be nonoperational. The army is made up mostly of infantry divisions. Unclassified sources indicate that it is spread over the length and breadth of **Iraq** -- unlike during the **Gulf War**, when it massed facing Saudi Arabia. Two corps are in the north in Iraqi Kurdistan, one in the south facing rebellious Shias and two facing Iran. Iraqi morale is considered questionable and fighting ability marginal. These

five corps are backed up and kept under surveillance by two Republican Guard corps, one in the north and one near Baghdad to the south. The Republican Guards are the cream of the Iraqi armed forces, but they are widely separated and have only two armored divisions and three mechanized divisions between them. Saddam Hussein also has a Special Republican Guard for his protection, made up of four loyal and well-armed brigades. These forces protect Baghdad.

Given that the Iraqi army and the Republican Guards are spread out, an American ground attack out of Turkey in the north and from Kuwait in the south would force the Iraqis to fight on multiple fronts, allowing it to be defeated piecemeal. Iraqi commanders recognize this and know their vulnerability. They also know that their air defenses will be destroyed in the opening days of combat, leaving them helpless in the face of American air attacks.

Though Hussein opponents are not powerful enough to serve as the main anti-Hussein force, they can be useful in targeting these strikes, as was done in Afghanistan. Supported by American Special Operations forces, their greatest value is as a magnet to draw opposing Iraqi forces out of their barracks and into the open, allowing American air power to attack them. The dissidents could also be useful in encouraging civilian and tribal uprisings.

By concentrating U.S. air power on the Iraqi military in the field, and not on **Iraq's** infrastructure, as was the case in the **Gulf War**, civilian casualties would be minimized. But it would probably force retreating military units loyal to Saddam Hussein to fall back on the cities, where American power would be less effective. Fighting in cities is a nasty business, accompanied by terrible casualties all around, to say nothing of the destruction wrought. This may be Hussein's plan, as there are reports that the Iraqis are digging trenches and erecting fortifications around urban centers. But historically, when a regime's army is defeated in the field and loses control of the countryside, troops trapped in cities don't hold out long. The Iraqis are credited with having a substantial tactical and strategic chemical and biological capability. That is their key strength, and it makes sense that in his bid to survive, Saddam Hussein would try to use that capability. It should be made clear that any officer who authorizes chemical or biological weapons, even if ordered to do so by Baghdad, will be treated as a war criminal.

The United States knows where some of the sites of weapons of mass destruction are, but not all of them. A vigorous intelligence campaign would be needed to locate and destroy those weapons. Even then there is no guarantee of getting them all. But chemical and biological weapons, once they are released on the battlefield, can be a greater danger to the user than to his intended target. American forces have far better protective clothing and equipment than do the Iraqis. Defense against mobile Scud missiles armed with poison warheads depends on early detection by satellites and manned and unmanned aerial vehicles, and their speedy destruction by precision-guided munitions and Patriot missiles. Special Operations teams would have to play a major role in tracking down hidden and mobile launchers.

When attacked by American bombs and missiles the Iraqi armed forces will be challenged to look to the better interests of **Iraq** -- and to their own survival. It should be made clear to the Iraqis that those who stay neutral or join in Hussein's demise will be treated well. Those who resist will continue to be attacked. Saddam Hussein and his regime must go, and the sooner the better. But the strategy of the U.S. military campaign is important. The campaign must be decisive, swift and psychologically devastating for Iraqi forces. Undermining the military support for the Baghdad regime is key to rapid success and to keeping American casualties to a minimum.

The writer, a retired **Marine general**, is a senior fellow at the Council on Foreign Relations and co-author of "The Generals' War: The Inside Story of the Conflict in the Gulf."

**LOAD-DATE:** September 18, 2002

Dr. SCHLESINGER. Second, on the question of sharpening—  
Chairman LEVIN. Excuse me. That comment was not limited to nuclear weapons? That was weapons of mass destruction?  
Dr. SCHLESINGER. Yes, sir. Yes.  
Chairman LEVIN. Okay.

Dr. SCHLESINGER. He was not suggesting that Iraq now has nuclear weapons. He's talking about the chemical and biological weapons that we know that Iraq possesses.

Second, on the question of sharpening—if we are to sharpen this resolution, I hope that it does not go to the point of precluding any action outside of Iraq. The reason that I would not like to see that precluded is our presence in the region will change the strategic map of the region. We don't want to give reassurance to neighbors that may be conducting terrorist operations or harboring terrorist operations that they are secure.

The third point is on this question of anti-Americanism. The events of September 11 and Osama bin Laden crystalized what was a latent anti-Americanism in the region. It flared up. In a recent poll in Kuwait, 75 percent of the citizens of Kuwait said that they admired Osama bin Laden. This is the same Kuwait that we reflagged her vessels 2 decades ago and rescued just a decade ago.

The point is, though, I would like very much for Middle Easterners to think well of the United States. But if they don't think well of the United States, I want them to have respect for this country and recognize that killing Americans is not something that can be done with impunity.

Thank you.

Chairman LEVIN. I would just say those are not mutually inconsistent goals, I take it. We could achieve both if we act in a way which is aimed at achieving both?

Dr. SCHLESINGER. Yes, mine were general observations.

Senator WARNER. Mr. Berger, I was very impressed with your comments, and I agree with them, on the situation that Israel is confronted with today, and that while they abstained from direct military action in the Gulf period in 1990–1991, largely at our request and those of our allies that were in the coalition, there's a question mark, and certain statements have been made to underline that question mark as to what they may do to protect their sovereignty if they are now attacked.

That brings me to the question of the role of NATO. I followed with great interest this subject of Secretary Rumsfeld urging NATO to put together a force—that's fine—that can move and move quickly and combat terrorism wherever it is in the world.

But I go back to the moves that your administration, that is, the Clinton administration, of which you were an integral part, when NATO expanded its charter to go out of area—you recall that very vividly, I think that was an initiative of your administration. Well, then, we have now a conflict out of area between Israel and the forces in Palestine, which are against Israel—I say “forces”—I don't think all the people of Palestine are against Israel, but certainly certain forces of terrorism are directed against Israel—and I have said then and publicly a number of times on the floor of the Senate that NATO should consider offering to provide peacekeepers in this tragic conflict, but those peacekeepers would only go in under the conditions that they're invited by the Government of Israel and whatever structure of government remains in the Palestine organization and that a ceasefire be put in place between the two forces so that negotiations toward a lasting peace could be undertaken.

It's a risk. There's no doubt about it. We could not guarantee that if NATO peacekeepers came in, that the tragic human suicide bombers would stop. But it seems to me it would send a strong signal throughout the world that followed this conflict that we are at least making a constructive effort to enable the parties to begin a negotiation.

Now, the Europeans have had sympathies longstanding with the Palestine faction. We have had longstanding sympathies with the people of Israel and their struggle to maintain their sovereignty and democracy. A NATO force would be composed of some element of U.S. forces and a considerable element of European forces, so there would be a merger of these two dichotomies at this point into a force that comes solely at the invitation to maintain the peace.

I feel that there's a linkage between that ongoing problem of suicide attack, necessary counterattack by Israel, and on and on it goes, and it festers the hatred throughout the militant Muslim world against our country and what we're doing. I think it factors into the difficult decisions as they relate to Iraq.

Our President came out following the United Nations Security Council resolution, which I think the vote was 14 to 0, with the abstention of the U.S., and was compelled to say that he hoped that the conflict could stop and the actions of the Israeli military could be modified in some way to end the standoff between the Israelis and Palestinian Authority.

Have you a view on what role the United Nations could play in the conflict that you described in your earlier remarks with regard to Israel?

Mr. BERGER. The United Nations or NATO, Senator?

Senator WARNER. Excuse me, NATO. I misspoke.

Mr. BERGER. Yes.

Senator WARNER. I want to be very clear. NATO and what role NATO may have in this preparation for such actions, whether it's the Security Council resolution or the follow-on military action or some force to enforce this unfettered inspection regime which may evolve out of U.N. resolution.

Mr. BERGER. Senator, I think that in the context of a ceasefire and consent on both sides, peace——

Senator WARNER. In the Israel-Palestinian conflict?

Mr. BERGER. Right. That peacekeepers and perhaps NATO peacekeepers are something that ought to be considered. My concern, I believe quite honestly, Senator, that our disengagement from the effort to build a ceasefire in recent months compounds our problem in Iraq. We have always been a steadfast ally of Israel. I hope we always will be. But we've also always been engaged in the process of trying to diminish violence and create a more stable peace.

The strategy of terror will not work. I think many Palestinians, although not all, unfortunately, are coming to that conclusion. But only the United States on the ground with our sleeves rolled up is going to be able to create opportunity out of exhaustion. I think the fact that we are not more active in trying to do that makes the Iraq problem all the more difficult, because it does tend to polarize views in the region.

Senator WARNER. So I judge that you feel if there are the conditions I laid out—a ceasefire and an invitation for them to come in—that the presence of the NATO peacekeepers could contribute to the basis for negotiations over a period of time.

Mr. BERGER. I think—with the consent of both sides.

Senator WARNER. That's correct. That's integral.

What about the NATO forces in terms of being in consultation with the Iraqi issue?

Mr. BERGER. Well, I was disturbed to read one administration official said he never even considered the idea of asking NATO to be involved. Of course, in Kosovo, it was a European issue, but it was the unity of NATO. Even Italy and Greece, where public sentiment was overwhelmingly favorable to the Serbs, it was the unity of NATO that ultimately defeated Milosevic. So that obviously may be difficult to obtain in this circumstance, but it does go, again, to legitimacy.

We acted with legitimacy, I believe, in Kosovo, even though we didn't have a Security Council resolution, because we acted in the context of 19 NATO members with diverse viewpoints.

Senator WARNER. Dr. Schlesinger, your thoughts on, first, my scenario in the Middle East, the Israel-Palestinian conflict, the involvement of NATO by invitation, and second, the consultation of NATO in regard to the ongoing events in Iraq.

Dr. SCHLESINGER. On the first question, I have no objection to the scenario that you laid out and the suggestions that NATO might want to participate. NATO members have not been eager to provide forces, as opposed to providing advice, and that is always a problem.

This history of peacekeepers in the neighborhood of Palestine and Israel, or in the neighborhood of Israel and her Arab neighbors, is mixed. It was a success, of course, in the Sinai, but that was because the Egyptians wanted it to be a success. It's not clear to me that we have the basis there.

Senator WARNER. They have been a success in Bosnia, NATO forces, in Kosovo. NATO is a coalition that is in place, it is ready to roll. It could be there in 72 hours.

Dr. SCHLESINGER. I'm not suggesting that NATO would not be useful in the Middle East.

The other point that I would make is that, even though these subjects do tend to overlap, Iraq and the Israeli-Palestinian conflict are separable. For many of the Arab states, their inaction with regard to Palestine has been a major contributor to the problem, and that's true over a period of 50 years.

What we have seen since September 11 is a tendency to use Israeli conduct toward the Palestinians as an excuse to continue to avoid the responsibilities that other Arab states might have toward the Palestinians. It has changed what had previously been the antagonism to the United States as the protector of regimes that were impure and that the Islamists wanted to change into a new focus, or a renewed focus on Israel-Palestine. So I think that it is important for us to recognize that much of the antagonism to American policy is not due to our support of Israel.

Senator WARNER. One last quick question to the panel, Mr. Chairman, and that is on the doctrine of preemption.

Mr. BERGER. Well, let me just say that I agree with that final statement by Dr. Schlesinger. I don't want there to be any mistake about that. I agree with the final statement of Dr. Schlesinger about it not being because of our support for Israel. We've been supporting Israel since 1947.

Senator WARNER. Yes.

Mr. BERGER. Every President since Richard Nixon has been deeply engaged in trying not only to support Israel, by not only protecting it, but also by trying to reduce violence and bring about some kind of a more durable peace.

Senator WARNER. Well, I associate myself with those remarks.

Dr. SCHLESINGER. For that, we get no credit. Madrid, Oslo, the first President Bush's actions——

Senator WARNER. Gentlemen, I associate myself with the comments of Dr. Schlesinger and Mr. Berger.

Last question. The doctrine of preemption has gotten, understandably, people stirred up. Our country has never sought, in its 215–216 year history, to take a square foot of land permanently from any other nation, and we have used our Armed Forces, I think, judiciously through the years. But what has changed is technology. As Tony Blair says, within 45 minutes they could begin to deliver weapons of mass destruction.

The doctrine of preemption grew out of the state-sponsored belligerencies where we then had time to declare war and go through these motions. We haven't declared war since World War II, but we have moved swiftly under a number of presidents to intercede where our security interests were involved. Today, cyber-security is reaching such a dangerous proportion that cyber-terrorists could strike America in a matter of a minute's time through our computer systems and shut down power grids and shut down the flow of water and all kinds of things.

To me, this underlies the President's need to move out and tell the American public and the world that we can't sit and wait for the smoking gun, as did President Kennedy in the Cuban Missile Crisis with that picture of that missile headed into a position to be pointed against the United States. There may be no one left here to see the smoke after the gun is fired.

So technology, in my judgment, underlies the need to change our doctrine and to move more toward preemption where it has to be done, and done quickly. Does anyone have a comment on that?

Dr. SCHLESINGER. I think your observation is unanswerable. I think that the point of those who have raised questions has been preemption does not conclude containment or deterrence, that these are tools that work together.

Of course, whatever we have said in the past, when we thought it necessary, we took action. President Reagan moved into Grenada, not by consulting the British. Indeed, President Kennedy, whom you just referred to, when he had that picture, engaged in what was an act of war under international law: to wit, the quarantine of Cuba. That is preemption, even though it did not involve an exchange of fire. So over the past, when we saw ourselves menaced, we were prepared to act.

I think the question here is, should we be emphasizing preemption as our primary tool that displaces containment or deterrence.

Mr. BERGER. I think the option of preemption is one that every president has had, must have, to act in circumstances where the United States is immediately threatened. I think it is counterproductive to elevate that to an organizing doctrine or the organization doctrine of America's strategic policy, for several reasons. Number one, I think it tends to lower the threshold of use, because it puts governments on notice that "you'd better use them or you're going to lose them." Number two, I think it provides a rationale for other countries to act against their perceived opponents and enemies saying "this is our doctrine of preemption."

I think it changes the perception of the United States in the world. I think that basically it says, to do this—to articulate this now is to say that Iraq is the rule, not a special case, as Dr. Schlesinger said; Iraq is the template. I think that makes it much more difficult for the United States in the world.

So, option? Absolutely. Option we've used in the past? Absolutely. Organizing doctrine of American strategic policy? I think it's counterproductive.

Senator WARNER. Is there a difference between preemption, the use of the doctrine of preemption against state versus non-state? Like, September 11 was non-state, so far as we know. It seems to me that should be unfettered, and it's to our advantage to tell them we're going to use preemption against non-state. Now, state, there is, I think, a debate, even though I support the President's time frame.

Mr. BERGER. I think it goes to the imminence of the threat to the United States. It, again, ought not to be elevated to the organizing principle.

Senator WARNER. Dr. Schlesinger, I must remind you, the clock's ticking. You said you have to leave.

Dr. SCHLESINGER. I will leave in 5 minutes, Senator.

Chairman LEVIN. Senator Sessions has a turn coming, so we hope you'll save some time for his questions if they're addressed to Dr. Schlesinger.

Senator SESSIONS. All right, thank you, Mr. Chairman.

Chairman LEVIN. I think, Dr. Schlesinger, if you want to just quickly wrap that up, I don't want to stop you from doing it, but make it quick.

Dr. SCHLESINGER. I agree with Senator Warner with regard to terrorist organizations. We should tell them we will do whatever we can to blunt your activities. If you are even partially successful, we will continue to hunt you down wherever you are.

With regard to the issue of nations, I think that you are absolutely right on the facts, the administration is right on the facts. It would be better to play this in a somewhat lower key than we have.

Chairman LEVIN. Senator Sessions.

Senator SESSIONS. I think that sums up the point pretty well. I agree with Senator Warner that it's good that the President has raised preemption and made it quite clear we are not going to sit by and allow ourselves to be vulnerable.

Dr. Schlesinger, I tend to agree with you that we don't have to go to preemption in Iraq. We have such a continual history of viola-



tion of U.N. resolutions and basically continued warfare since 1991, we're in a state of conflict with them.

My question is, the President has taken this issue to the U.N. He has asked for their support and met with leaders around the world. Iraq, feeling this pressure, playing its game again it would appear. Iraq has written to the U.N. to say they would unconditionally allow themselves to be inspected; however, in that very document (Saddam Hussein's letter to the U.N.) they state: "The Republic of Iraq reiterates the importance of the commitment of all states, members of the Security Council, and the United Nations to respect the sovereignty, territorial integrity, and political independence of Iraq."

Well, any vigorous form of inspections, by its very nature—I'll ask you two experts—aren't those inspections, by their very nature, infringements of territorial integrity and sovereignty?

Dr. SCHLESINGER. He has abandoned the question of sovereignty. In fact, he is attempting to reassert the question of sovereignty in principle. It just doesn't fly. As a general proposition, we are going to see Saddam Hussein attempt to evade, as he has in the past, the commitments into which he has entered, and we are engaged in a game similar to that of Lucy and Charlie Brown and the football, in that, will once again this autumn we be fooled, as Charlie Brown is? I don't think we will be, but in our quest for international support, the international community may once again be fooled.

Senator SESSIONS. Mr. Berger, in your statement—I think you were correct, you went to heart of it; you said we have to have an honest commitment to inspections and a renunciation of weaponry. I believe you used the word "unfettered access." Would you agree that term contradicts this letter in which Saddam Hussein continues to insist on his sovereignty and territorial integrity?

Mr. BERGER. Senator, as I said, one of the reasons why I think a U.N. Security Council resolution is important is so that the United Nations defines "unfettered," not Saddam Hussein, and we get rid of some of the cobwebs that grew up around UNSCOM around this notion of sovereignty and special sites. Let the U.N. say what "unfettered" is; let the international community say, "unfettered means anytime, anyplace, anywhere." Then, having defined, as an international community, what "unfettered" means, if Saddam does not comply with that, it seems to me we are on much stronger ground.

Senator SESSIONS. Dr. Schlesinger, in that regard, you expressed some pessimism or some concern, as I do, about whether or not we can get clarity out of the U.N. on this question. How do you see it playing out?

Let's say the inspections don't come unfettered, and what do we do? How do we get to the point where we either act or not act?

Dr. SCHLESINGER. We are, I believe, going to ultimately see action. We prefer that action to be from the U.N. But if not, we are going to see action. We do not have to advertise that or blatantly say it, as Mr. Berger has indicated. But I think that that is understood.

I think that it was a remark attributed to Samuel Goldwyn that "prediction is difficult, especially about the future." I always find

it a little difficult to predict what is going to come out of the United Nations. But it is clear that we must have a clear understanding of what "unfettered" means, that it does not mean that these palaces, or alleged palaces, of Saddam Hussein are off-limits to the inspection. They can go anywhere at any time, on demand.

Senator SESSIONS. Mr. Berger, how do you see events unfolding? Any prospects for clarity out of the U.N., or will it remain feckless?

Mr. BERGER. I believe we could, I believe we can, Senator, get a resolution from the United Nations Security Council that reasserts, in this current context, the need for compliance, particularly with the weapons of mass destruction disarmament obligation, that calls for unrestricted inspections, and that defines that in U.N. terms, not in Saddam Hussein terms.

I am actually less concerned about whether or not there is the operative "all necessary means" language in the first instance, because I think that getting that clear statement from the international community now, today, in these terms enhances our position. It puts Saddam with a clear choice. Either he complies with the world or there will be consequences of some nature.

Senator SESSIONS. On the question, Mr. Berger, of Israel, several people have expressed concern about their situation. Israel has made it clear that this would be a decision for the United States, for it to go or no go, and they would be prepared to accept the risks that that might occur. They're not asking us not to go forward, are they?

Mr. BERGER. As far as I know, Senator, they're not asking us not to go forward with respect to Iraq, although I think they are reserving, as a national decision, how they would respond if they were attacked.

Senator SESSIONS. Yes.

Thank you, Mr. Chairman.

Chairman LEVIN. Before Dr. Schlesinger leaves, and I think we're going to wind it up right now, let me thank both Dr. Schlesinger and Mr. Berger. It's been a very useful, very helpful hearing to this committee and I hope to Congress and the country.

We would invite both of you, if you so chose, to give us specific suggestions relative to any modifications in the resolution that has been presented to us by the White House. I think both of you have had some suggestions here. You may want to give us some additional thought. Feel free to do so if you wish and to submit those to this committee.

[The information referred to follows:]

Dr. SCHLESINGER. I have nothing to add to my testimony regarding the White House resolution on Iraq.

Mr. BERGER. I have made some suggestions in my testimony on proposed changes to the resolution. I am available to discuss more specific language with any member of the committee at his or her request.

Senator WARNER. I'd just join you, Mr. Chairman, in your observation. It's been an excellent hearing.

Chairman LEVIN. You have one more question? Okay. Senator Sessions?

Senator SESSIONS. Would you care to hazard a guess as to whether or not Saddam Hussein would, in fact, agree to unfettered access?

Mr. BERGER. I think, Senator, that the probability is that he will not. He may agree to it. He may let the inspectors back in. I think the probability is that he will interfere, but he will have then interfered with a current statement by the international community. I don't think you can rule out, as I said earlier when you weren't here, the possibility that, under these circumstances, where he is facing the potential of a military invasion against him, that his instinct for self-preservation may result in a different calculation. I don't think that can be ruled out, but I think it not the most likely course.

Senator SESSIONS. Thank you.

Chairman LEVIN. Thank you, again. You've been very patient, and, as always, very helpful.

We will stand adjourned.

[Whereupon, at 12:34 p.m., the committee adjourned.]

